

*Courtroom Pragmatics: Analysis of Questions and Answers in the  
Tomb Robbery Papyri*

Thesis submitted in accordance with the requirements of the University of  
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# Abbreviations

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## Bibliographical

<i>ÄAT</i>	Ägypten und Altes Testament
<i>BIFAO</i>	Bulletin de l'Institut Français d'Archéologie Orientale
<i>CNWS</i>	Centre of Non-Western Studies
<i>CUP</i>	Cambridge University Press
<i>EES</i>	Egypt Exploration Society
<i>GHP</i>	Golden House Publishing
<i>GM</i>	Göttinger Miszellen
<i>IFAO</i>	l'Institut Français d'Archéologie Orientale
<i>JEA</i>	Journal of Egyptian Archaeology
<i>JESHO</i>	Journal of the Economic and Social History of the Orient
<i>JNES</i>	Journal of Near Eastern Studies
<i>OUP</i>	Oxford University Press
<i>ZÄS</i>	Zeitschrift für Ägyptische Sprache und Altertumskunde

## Content

<i>EmodE</i>	Early Modern English
<i>FTAs</i>	Face Threatening Acts
<i>JPT</i>	Judicial Papyrus of Turin
<i>TRP</i>	Tomb Robbery Papyri
<i>Wb</i>	Wörterbuch der Ägyptischen Sprache

# Chapter One: Introduction

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The title of this thesis is perhaps misleading, but deliberately so. One of the issues to be dealt with from the outset is terminology (see sections 1.1.2, and glossary). The title itself is designed to grab the reader's attention, and to speak to a reader in accessible terms, so as to foster interest in this piece of work. In fact, terms like courtroom, tribunal, defendant and other modern terminology may at first seem appropriate, but in fact do not accurately reflect the nature of New Kingdom legal proceedings, so terms have been chosen which more accurately reflect the data presented here.

## 1.1. Background and Context to This Study

The Tomb Robbery papyri<sup>1</sup> are some of the most complex and interesting legal documents that survive from the New Kingdom. These documents form a coherent group which detail the investigations into tomb robbery during the 19<sup>th</sup> and 20<sup>th</sup> Dynasties (Eyre, 2013: 307), but also seem to have been used for other texts, such as BM EA 10068 – a housing list, when there was spare roll on the papyrus. It has long been suggested that the robberies which these texts detail are a result of the socio-economic problems of the 19<sup>th</sup> and 20<sup>th</sup> Dynasties, and the opportunistic greed of the inhabitants of Thebes (For example Vernus, 2003 Chapter One). However, while the reasons for the existence of these texts, and the motivations of the robbers are well documented, little work has been undertaken directly on the discourse between the Tribunal and the accused, and what each party is attempting to achieve.

It would seem obvious to assume that the Tribunal, and the accused brought before them, have different wants for the outcome of the discourse in which they are engaged. Nevertheless, the way in which these two parties interact within the discourse has not been fully explored, and it is this that this thesis aims to examine. Most of this interaction occurs in the question/answer format, which is typical of a criminal trial situation, and warrants exploration to determine how the Tribunal go about using these questions/answers, and how this affects the discourse overall.

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<sup>1</sup> Hereafter referred to as 'TRP'



The seminal work done on the corpus comes from Peet's translations and commentary of the Mayer papyri (1920), his initial work on the rest of the corpus (1925), and his translation and commentaries of this group (1930). This body of work consists of Peet's early descriptive accounts of interrogations through translations and commentaries of the texts in the corpus, but does not analyse linguistically the texts in terms of what is said between the Tribunal and the accused. However, Peet does provide textual commentary on some of the more difficult grammatical forms<sup>2</sup> and linguistic anomalies, and background context to each text in the corpus.

In the background context, Peet discusses factors such as the makeup of the robbery groups listed in the text, how a particular text relates to others in the corpus, and a discussion of each testimony given by the accused in these groups. Peet's account of the robberies themselves is descriptive and commentative, and does not involve a direct analysis of the linguistic forms deployed. An illustrative example of Peet's discussion of testimonies in the case of Bukhaaf in P.BM EA 10052, Peet (1930: 139) states that the Herdsman Bukhaaf attempts to distract the Tribunal with a tale of a robbery in which he was not involved:

*'Day 5. The herdsman Bukhaaf is the first person examined. He is asked to tell the story of his attack on the royal tombs. He attempts to evade the issue by recounting not his own visit to the tombs, but a later incident.'*

However, Peet notes that the Tribunal are not swayed by the manoeuvre and ask him to tell them the truth. In his discussion on the testimony of Nesamun called Tjaybay (1930: 140), Peet once again notes the same manoeuvre occurring:

*'He first tries to persuade the court that he and his fellows stole from the tomb nothing more than some vessels of silver, but a second beating elicits the admission of having taken also the silver shroud from the body, a much more heinous offence. The two scribes of the Necropolis who are present in court try to make him admit that the various thefts recounted involve three tombs, but he persists in his assertion that all the silver came from a single tomb.'*

It is evident, therefore, that even in early work done on this corpus the strategies of the accused are being noticed and described discursively, but more direct

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<sup>2</sup> Of course, Peet's linguistic work is now rather dated, and grammatical analysis of the TRP can be found embedded in standard grammars of Late Egyptian, and the specialist research literature on Late Egyptian.

and formal analysis was not undertaken, and this paves the way for further analysis. Capart, Gardiner and Van de Walle (1936), produced an article for the *JEA*, which attempts to address some of the issues that arose from the study of the TRP corpus by Peet, but once again, the discussion of the interaction of Tribunal and the accused is brief and descriptive (1936: 175):

*In the missing lines reference will first have been made to the beating which was the regular prelude to Egyptian judicial confessions, probably in much the same language as is used in Br. Mus. 10054, vs. 1, 4-5; Amenpnufer will then have been ordered to speak by the tribunal as a whole, or by some single member of it.'*

This article also contains the discovery and translation of the now famous passage from P.Leopold II Amherst, which details Amunpanefer's actions in the tomb of the 17<sup>th</sup> Dynasty King, Sobekemsaf, and discussion in this article once again turns to the social and historical context surrounding the trials.<sup>3</sup> Janssen-Winkel (1995) in his article on the plundering of the royal tombs discusses the effect the robberies had on the decisions surrounding the burials of future Pharaohs, culminating in the decision to move these kings to safer places such as the Deir el Bahri cache.

The repercussions of the acts of tomb robbery and the dating of the texts are covered by McDowell in both *Jurisdiction in the Workman's Community at Deir el Medina* (1990) and *Village Life in Ancient Egypt* (1999), though this discussion is brief, as she focuses on a general reconstruction of the underlying events/robberies rather than an analysis of the linguistic interaction of the Tribunal and accused. The dating of the corpus is also something that is extensively covered by previous research. Thijs (1998 & 1999) has written a series of articles on the dating of the end of the 20<sup>th</sup> Dynasty, with particular focus on the dating of P.BM EA 10054, and the dating of the *whm mswt*, which many of these texts fall into date-wise. However, his dating has been countered by Von Beckerath (2000: 114-116, 2001: 17), who, like many others, does not subscribe to Thijs' hypothesis that Ramesses IX-XI were contemporary. Therefore, this thesis will utilise the standard chronology of the late 19<sup>th</sup> and early 20<sup>th</sup> dynasties when dating the papyri.

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<sup>3</sup> Capart and Gardiner (1939) produced a follow up to their 1936 article whereby they joined both parts of this text (P.Leopold II Amherst & P.Amherst) for the first time in one volume, with translation, transcription, and plates of the original text.

This research is important, as it enables us to see the social and historical context in which these robberies took place and the impact they had. While this research provides the essential context and background to the texts themselves, there has not been a substantial foray into the linguistic content of the texts themselves, with the exception of Winand's forthcoming article, and David's (2010) work on legal texts in the Ramesside period, though the TRP are only briefly mentioned. It is in this context that this thesis aims to fill the gap in the research, by discussing the interaction between the Tribunal and the accused, and the impact each speech act has on the other party. It is beyond the scope of this study to look into every aspect of the discourse between the Tribunal and the accused linguistically. Rather, this study will focus on the question and answer format, the grammatical/pragmatic forms used, and how both are used by either party to steer the discourse towards their own wants

Since no work exists within Egyptology on the linguistic dynamics of the discourse in legal proceedings, this thesis makes use of work on the Early Modern English<sup>4</sup> courtroom discourse, and thus evaluates the utility of such work in terms of its applicability to the Ancient Egyptian material. As a key example of this is Archer's 2005 work *Questions and Answers in the English Courtroom (1640-1760)*<sup>5</sup> provides much of the background research to the work done in this study. Archer's study of the EmodE courtroom focuses primarily on the strategies and intent of the different parties involved in the discourse, namely the Judges, Lawyers, Defendants, and the witnesses, and how these intents and strategies, such as questioning or answering techniques, affect the discourse. Since New Kingdom trials do not have the presence of lawyers, or witnesses, these will not be assessed in the context of this study, but instead the focus will be on the strategies and intent of the Tribunal and the accused within discourse. The results of Archer's study demonstrate that different pragmatic strategies such as impoliteness when questioning or answering, or flouting the conversational maxims outlined by Grice (1975), are used as part of the strategies of both parties. The aim of this study is to see how far this particular model of assessing the different speech acts of each party can be applied to the Egyptian context in order to understand how both the Tribunal and the accused are communicating their intent to one another in the discourse.

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<sup>4</sup> Hereafter referred to as EmodE

### 1.1.1. Other Legal Texts from the New Kingdom

Of course, the TRP are not the only corpus of legal texts we have from the New Kingdom. Texts such as the *ḳnbt* and Oracle texts from Deir el Medina, and the Judicial Papyrus of Turin<sup>5</sup> (the records of the investigation into the Harem Conspiracy), also form part of the corpus of legal literature we have surviving from this period. What is notable about the TRP in relation to the others, is that it is a far larger investigation, with the trials of many accused taking place in the texts. It is also noted that the TRP and the JPT, both being major investigations, accused are held in what is termed *st p3 smtr* ‘the Place of Examination’ (McDowell, 1990: 220 & 1999: 193) and are then *it3y r mryt* ‘taken to the riverbank’ (Černý, 1973: 97, McDowell, 1990: 219-221) for examination, though it has not been determined where precisely this place was or how large of an area it covered.<sup>6</sup> So clearly, when we think of the trials taking place in the TRP we must not think of them as taking place in a courtroom as modern readers might imagine, but a construction of sorts on the banks of the Nile.

Allam notes (1991: 110-111) that there is no separation of state and judicial system when it comes to major crimes, including involving officials from the temples should the crime warrant it, and lesser disputes, such as those dealt with by the *ḳnbt*, were dealt with by minor officials and well respected members of the community at Deir el Medina (Neunert, 2010: 199-200). Haring (2010: 220) states that these officials seem to have been selected by the Pharaoh, as they are held by prominent families and the office was usually passed from father to son. Only occasionally did the Pharaoh break this line of succession to appoint his own officials especially with offices such as the Vizier, Overseer of the Treasury, and High Priests of temples (Haring, 2010: 220). Nevertheless, it would seem that the Pharaoh only had limited influence over administration, therefore leaving the Vizier Pharaoh had appointed as the actual Head of Government, executor of the king’s decisions, and at Thebes the head of the *ḳnbt ʿ3t* ‘The Great *ḳnbt*’ (Haring, 2010: 221). This *ḳnbt ʿ3t* was presided over by only the highest of officials, and dealt with matters deemed too serious for the local *ḳnbt*, with the most notable examples being the TRP and the trials of the Harem Conspiracy (Grandet, 2013: 859). The only member of the Tribunal that is perhaps on the same

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<sup>5</sup> Hereafter referred to as the JPT

<sup>6</sup> There is lengthy discussion as to what the *it3y r mryt* involves and where it might be in Thebes, but this is beyond the scope of this thesis. For further discussion, see Černý, 1973: 94-97 and Janssen, 1980, cf: McDowell, 1990: 219.

level as the Vizier in these texts,<sup>7</sup> is the Scribe of Pharaoh, whom Allam (1991: 115), suggests could have been a delegate of Pharaoh, and therefore could interject in the proceedings to ask his own questions with authority. Therefore, what we have is a group of high officials presiding over the TRP, and not the same *srw* ‘Officials’ that would preside over a *knbt* trial. More often than not, there is no specific mention of who asked the question of the accused, so the term ‘Tribunal’ will be used as an encompassing term for all the officials presiding over the TRP trials.

The TRP differ greatly to other surviving legal texts. The *knbt* and Oracle texts, were mainly used to deal with crimes or disputes on a local level. For instance, in the case of Oracle texts, there is no ‘tribunal’ to speak of, merely a statue of the ‘deified’ Amenhotep I carried by 8 priests, to which a question is asked and the Oracle would move backwards or forwards depending on their answer (McDowell, 1999: 172-173). It was mainly used for straightforward disagreements, or to identify a thief when the petitioner did not know who robbed them, or did not have enough evidence to make a claim (McDowell, 1999: 173). It is rare that an accused’s speech is recorded in these texts, and it usually takes the form of an oath to the gods, swearing that they had nothing to do with the crime of which they were accused.

The *knbt* (local court) texts, on the other hand, are slightly more substantial in that they deal with witnesses coming before the *srw* ‘Officials’ to make a claim against someone (Eyre, 1984: 93), much like we see the Peasant do in the Eloquent Peasant (Shupak, 1992: 4). McDowell (1999: 169) notes that the records of the *knbt* rarely demonstrate the litigant losing their case, and are usually just ‘outcome’ records whereby no speech is recorded. Very few *knbt* texts record the *srw* asking questions of the litigant, and just like the Oracle texts it is even rarer that any speech is recorded on the part of the accused. One example we do have comes from O.Nash 01 (HO. 46, 2),<sup>8</sup> which details the theft of a copper spike by Herya from Workman Nebnefer:

*Year 6, third month of summer, day 10. This day, the Workman Nebnefer son of Nakhty approached the law court and reported the lady Herya. The Workman Nebnefer said “As for me, I buried a chisel of mine in my house after the war, and it was stolen. I made everyone in the village swear to his innocence regarding my chisel. Now, after many days, the lady*

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<sup>7</sup> Though it should be noted that the other members of the Tribunal were by no means low ranking. More discussion on this can be found in Chapter Two.

<sup>8</sup> Also known as O.BM EA 65930.

*Nebemnehem came to say to me, "A manifestation of god has come about! I saw Herya taking your chisel." So she said."*

*Then the court said to Herya, "Are you indeed the one who stole this chisel of Nebnefer, or not?" Herya said, "No! I am not the one who stole it." The court said to her: "Are you able to take great oath of the lord, l.p.h., regarding this chisel, saying "I am not the one who stole it?" Then Herya said, "As Amun endures, as the ruler, l.p.h., the one whose manifestation is worse than death, (namely) Pharaoh, l.p.h., if I am found to be the one who stole this chisel..." (Allam, 1973: 217-219, McDowell, 1999: 187-188)*

The interaction seen here between the *srw* and the accused, is quite similar to that of the TRP, inasmuch as Herya is asked a question about her involvement and she gives an oath swearing she has done no wrong. However, the language used here by the *srw* seems to lack the 'guilty until proven innocent' manner that is so prevalent in the TRP as Herya is not immediately suspected of being guilty, and is only asked to swear her innocence *after* her testimony, and not before like in the TRP. Indeed, while both *knbt* texts and the TRP are legal texts dealing with criminals, they do in fact present us with different ways with which the accused were dealt. The only similarity is in the structure, and oath taking that seems to occur when an accused is brought.

### **1.1.2. Implicature and Pragmatics**

Pragmatics of a Gricean kind, centring on implications intended in dialogue by the use of particular linguistic expressions and inferences to be drawn from that use, has only recently started to be investigated within Egyptological circles. Collier's (2009) article on *Pragmatics and Meaning Construction in Late Egyptian* discusses the nature and uses of the Second Tense negation and Conditionals in Late Egyptian texts. These focus constructions are often seen to be used by individuals in recorded speech, or literary tales, to emphasise a particular point they are making. This point can either be explicit, and therefore using the construction to emphasise it to the hearer, or it can be implicit, still emphasising a particular point but allowing the hearer to infer meaning from it, and how additional implicit meaning can be read into examples of these constructions in context. These particular grammatical forms, along with the Cleft and Pseudo Cleft sentences, occur with frequency in the recorded speech of the accused as they attempt to respond to the Tribunal's questioning. As Collier notes himself, the field of pragmatics, using implicature or inference, within Egyptology is one that is relatively understudied. Sweeney (2001), also works with pragmatics in her work on the

correspondence and dialogue, and the pragmatic factors contained within Late Ramesside letter writing. One thing she notes that stands out is the use of politeness when one party, in a subordinate position, is speaking to another, who is in a superior position, particularly when utilising interrogatives. It is this interesting dynamic that inspired some of the work in Chapters Three and Four. Finally, Ridealgh (2011, 2013a, and 2013b) has done work on politeness in Subordinate/Superior positions in the Late Ramesside Letters, and further develops the topic of politeness between Subordinate and Superior through the use of ‘face-work’ and social status. Examples from the Late Ramesside Letters and Late Egyptian Miscellanies will be included in this thesis in order to ground the English linguistic theory with Egyptian examples. However, due to the limitations of this thesis, only the LRL will be used as a close comparison, and it should be noted that just because a text is from the Late Ramesside period does not make it directly comparable to the TRP.

Outside of Egyptology, a great deal has been written on Pragmatics and impoliteness in the English language, and also historical courtroom situations. The existing general linguistic literature on pragmatic implication and related topics, such as impoliteness, is large and will not be reviewed in detail here. In part, this is because this is a work of applied pragmatics, rather than a theoretical treatment. However, Grice’s original theory of conversation (e.g. Grice 1989) is central to much of the current work, even those taking a more direct cognitive turn such as Sperber & Wilson’s (2006) Relevance Theoretic approach. Gricean Theory is also used by Brown & Levinson (1978 [1987]) in their theory of ‘Face Threatening Acts’ through impoliteness. They discuss extensively how ‘face threatening acts’ are used between two parties in a discourse, and how these might affect one or other party when utilised. These theories are employed by Archer (2005), as these are assessed in relation to the EmodE Courtroom when looking at the intents and strategies of the parties involved in discourse. Bousfield’s (2008 a&b) work on impoliteness in interaction uses Grice, Culpeper, Archer, and Brown & Levinson’s work on impoliteness to demonstrate how it can be used in continual discourse rather than single statements, something that Brown & Levinson’s (1978) work has been criticised for failing to address. Therefore, by using these sources, a well-rounded view of implicature and impoliteness can be assessed within these texts as part of the strategies that are being used by the Tribunal and the accused in discourse.

It is important to note at this juncture, that the investigation into the usage of these forms takes on a more sociological investigation, rather than a grammatical one as this lies beyond the scope of this thesis. However, it would be improper to shy away from important data for the aims of the thesis, so some aspects of grammar will need to be treated. Principally negations and focus constructions, as these are the norms for responses given by the accused, and thus cannot be ignored.

## **1.2. Research Question**

The research question being raised in this study is ‘How far can the strategies and wants of the Tribunal and Accused be assessed through pragmatic theory, and social status, and what effect do these strategies and wants have on the discourse?’ To answer this question, this study will separate the interaction in the discourse into two distinct parties, the Tribunal and the accused.

### **1.2.1. Methodology**

In order to answer this question, we must first identify the main parties within the discourse, already identified as the Tribunal and accused, and then isolate the different speech acts that these two parties make. It is important to analyse these two parties separately, as only then can we assess their individual strategies and desires in the discourse, before bringing the two sides together in case studies to study the interactions as a whole. Those texts which do not contain any discourse interactions will not be analysed as part of this study.

### **The Tribunal**

For the Tribunal this will take the form of analysing the different questions and speech acts they use in order to interrogate the accused, and what effect these might have on any response someone accused might give. In order to do this, we must first assess the type of interrogatives being used by the Tribunal, and what they intend to get out of utilising them. Therefore, texts within the corpus which contain interrogatives or speech acts posed by the Tribunal will be looked at, and the types of interrogatives/speech acts used will be collated to see which are the most prevalent. In line with Archer’s (2005) investigation into the types of interrogatives/speech acts used by the Judges in the EmodE courtroom, and their uses, the same methodology will be applied to the questions posed by the Tribunal in the TRP by separating them into question/speech act ‘types’ and analysing the potential impact of each one in turn.



Once the ‘types’ of interrogatives/speech acts have been ascertained, then the strategies and intent behind each question/speech act ‘type’ can be assessed. This will be done by looking at factors such as the notion of presupposition of guilt, the build-up of core narrative, the use of certain types of interrogatives, and the use of impoliteness and Face Threatening Acts (FTAs). By looking at these different strategies, we can assess how each question can be phrased to elicit certain types of answers from the accused they are questioning. The next stage will be to assess how these interrogatives impact upon the accused themselves. This will be done through the analysis of Brown & Levinson’s (1978 [1987]) work on the theory of impoliteness to see how being rude or impolite, even if it is considered a contextual norm, is used and what effect it has upon those to whom it is directed.

### **The Accused**

For the accused, the first step will be to identify the types of answers with which they provide the Tribunal. Preliminary findings show two main types of answer given by the accused; denial of involvement, or acceptance of involvement in the robberies. From here, these two types will be assessed separately, with Chapter Four dedicated to the assessment of the ‘denial’ type response, and Chapter Five dedicated to the ‘acceptance’ type response. A third chapter, Chapter Six, will contain case studies in which analysis will be done to demonstrate the difference in discourse interaction between a denial answer and an acceptance answer.

Denial type responses will be broken down into the different types of denial used within the corpus. Preliminary findings from translating the corpus demonstrate that there are a number of ways in which the accused can deny their involvement in the robberies through the uses of either denial phrases, or focus constructions, such as a Second Tense or Pseudo Cleft. Denial phrases will be assessed by noting the frequency with which they occur in each text to see what type of phrase is most favoured by the accused, and should also provide data on how far it can be said that these texts reflect the actual speech of the accused. This will follow Archer’s (2006) assessment of the EmodE defendant’s answers by using tables to illustrate the frequency of certain types of answers, and what this tells us. By doing this, we should also be able to see which texts contain the most variations of denial phrases, thus indicating which texts will yield the most varied data. From this, we will be able to assess what the accused are attempting to imply to the Tribunal with each different phrase. For the types of denial that contain focus constructions, these will be split into three categories: the Second

Tense, the Pseudo Cleft, and the Cleft Sentence construction. Each individual construction will be assessed in terms of what the accused aims to achieve by using the construction, and what the construction aims to imply to the Tribunal. Adherence to Gricean maxims and subordinate/superior interplay will also be assessed, along with social status, as they were with the speech acts/interrogatives made by the Tribunal, so as to understand the strategic power play and intent of both parties.

### 1.3. Data Set

#### 1.3.1. Type of Texts Used

Not all texts that are in the Tomb Robbery corpus contain testimonies with detail of question and answer within an interrogation. As such, the Tomb Robbery documents excluded from this thesis are: P.Abbott,<sup>9</sup> P.BM EA 10068,<sup>10</sup> P.BM EA 10053<sup>11</sup> (rto), P.Rochester<sup>12</sup> and P.Ambras,<sup>13</sup> and cannot be incorporated into this thesis as they do not contain any discourse between the Tribunal and the accused. The types of text that will be used within this thesis are those that contain some form of interaction between the Tribunal and the accused, be it denying their involvement, or providing the Tribunal with an answer that tells them all they need to know about the robberies they were involved in. This is not to say that the other texts will not be taken into account when looking at the rest of the corpus, with particular reference to P.Abbott, as it is important to know the context of these robberies and what was being done to combat or investigate them.

#### 1.3.2. Texts

With the above being established, the main texts that this thesis will focus on are; P.BM EA 10052, P.Mayer A, P.BM EA 10054, P.Leopold II Amherst & P.Amherst, P.BM EA 10053 (vs), P.BM EA 10383, and P.BM EA 10403. All these texts include testimonies from accused or interrogatives/speech acts from the Tribunal, which can be assessed in terms of the use of implicature or impoliteness in discourse. P.BM EA

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<sup>9</sup> Also known as P.BM EA 10221. Acquired by the British Museum in 1857 from Henry Abbott.

<sup>10</sup> Acquired by the British Museum in 1856, along with P.BM EA 10403, from Signor Luigi Vassalli.

<sup>11</sup> Acquired by the British Museum in 1872 from Miss Selima Harris (from the ex-collection of Charles Harris).

<sup>12</sup> Discovered in 1994 after the rest of the corpus, and contains the list of things stolen by Chief Doorkeeper Djehutyhotep (Goelet, 1996: 107). Djehutyhotep also appears in several other papyri within this corpus, namely: Abbott Dockets Page 8A Column A Line 5, Mayer A 5.15, 12.26, and P.BM EA 10052 3.20, 4.5, and 16.18.

<sup>13</sup> Also known as P.Vienna 30. Now in the Wien Museum in Vienna.

10052 and P.Mayer A are the longest texts within the corpus, and contain the most variations of accused's answers to the questions posed by the Tribunal. Of course, these will be used more often than those that contain fewer testimonies, as they have a variety of accused with which to demonstrate different types of responses. This does not mean that the other texts will not be considered, as they will be used where an accused or member of the Tribunal has uttered something that demonstrates implicature or impoliteness, and is above all relevant. However, we must understand that the majority of evidence will come from the two largest texts within the corpus.

It is also important to note that the texts in this corpus were not all written at the same time; two manuscripts, P.BM EA 10054 and P.Leopold II Amherst, are from the reign of Ramesses IX and the others during the *whm mswt* of Ramesses XI, or just prior, some 20-25 years after. Therefore, the texts being utilised can be categorised into two different chronological periods: one group from the reign of Ramesses IX (P.Leopold II Amherst and P.BM EA 10054), and the second from the *whm mswt* period under Ramesses XI (P.BM EA 10053(v)), P.BM EA 10383, P.BM EA 10052, P.BM EA 10403, and P.Mayer A). These groups show some correlation to the groups devised by Peet (1930), but are composed principally around the different time periods.

The reconstructed relative chronological order of texts is as follows, including those not studied in this thesis:

**BM EA 10054** 14<sup>th</sup> of the Third Inundation month Year 16 of Ramesses IX

**Abbott Papyrus** 18<sup>th</sup>-21<sup>st</sup> of Third inundation month of year 16 of Ramesses IX

**Amherst Papyrus** 19<sup>th</sup> of Third Inundation month Year 16 of Ramesses IX

**BM EA 10053** Day 8 of First Month of Winter Year 17 of Ramesses IX (recto) Day 23 (or 25 or 26) of Year 9 of 2<sup>nd</sup> month of inundation (king unknown) (verso)

**BM EA 10068** Ramesses IX (date and month have eroded)<sup>14</sup>

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<sup>14</sup> While Peet suggests that BM 10068 belongs to the reign of Ramesses IX Wente, in his chronology of the Late Ramesside Letters, notes that Efenamun, a scribe of the necropolis, is mentioned in LRL 47 and therefore must be a contemporary of Dhutmose (Wente, 1967: 2). This would place the dating of BM 10068 to at least year twelve of the reign of Ramesses XI. This does not give us a different outcome in terms of the two periods in which the events of the tomb robbery trials took place but it does ascribe BM EA 10068 to Ramesses XI rather than to Ramesses IX which may shed light on some social aspects of the texts.

**BM EA 10052** Year 1 of *whm mswt* 4<sup>th</sup> Month of Summer day 5

**BM EA 10383** Year 2 4<sup>th</sup> Month of Summer day 25 of *whm mswt*

**Mayer A** Year 1 of *whm mswt* 4<sup>th</sup> Month of Summer day 15

**Abbott Dockets** Years 1&2 of the *whm mswt* Dated Year 1 corresponding to Year 19 -  
Ramesses X early Ramesses XI

**BM EA 10403** Year 2 of *whm mswt* 4<sup>th</sup> Month of Summer day 16

**P. Ambras** Year 6 of *whm mswt*

### **P.BM EA 10054**

With an opening date on the recto of 14<sup>th</sup> of the Third month of Akhet Year 16 of Ramesses IX, P.BM EA 10054 is the earliest text in this corpus and the earliest of the texts examined in this thesis. Peet notes (1930: 52-53) that the arrangement of texts on this particular papyrus is unusual. One of the writers, as there is more than one, starts on the verso with the examination of Amunpanefer<sup>15</sup> before switching to the recto to continue the text (Von Beckerath, 1997: 5). It does not list the number of days over which the trials recorded take place. This particular text also contains a list of rations given to people who are in no way connected to the robberies, the examination of Penwenhab,<sup>16</sup> and a list of names of thieves from both the Amunpanefer and Panakhtenipet affairs. An unusual feature of this document is that the Panakhtenipet interrogation is essentially reiterated in P.BM EA 10052, 14.11-18. The examinations of that particular group date to Year 1 of *whm mswt*, as Panakhtenipet appears in P.BM EA 10052 as well, and the examination of Penwenhab (Von Beckerath, 1997: 7) dates to year 18 of Ramesses XI. Von Beckerath (1997: 8) suggests that P.BM EA 10054 must have been written when the newest texts it contains were written, therefore making the Amunpanefer affair and grain texts copies of older texts. Peet, in his notes on P.BM EA 10054, has noticed the reappearance of Panakhtenipet and some of his companions:

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<sup>15</sup> The case of Amunpanefer also appears in P.Leopold II Amherst, which is dated 19<sup>th</sup> of Third Inundation month Year 16 of Ramesses IX, 5 days after the events recorded in P.BM EA 10054.

<sup>16</sup> Dated to Regnal Year 18.

*'Oddly enough a similar, perhaps even an identical, affair is shortly referred to in 10052.14.11 ff (...). The incident is foreign to the main contents of Pap. 10052 and is not referred to again. Its occurrence there is, however, of importance from the point of view of dating the papyrus.'* (Peet, 1930: 53-54)

Moreover, on Panakhtenipet's appearance in P.BM EA 10052:

*'... it is in most cases impossible to tell what length of time elapsed between the thefts chronicled in these papyri and the bringing to trial of the criminals'* (Peet, 1930: 167)

It seems that Panakhtenipet was questioned about these robberies again 25 years later in P.BM EA 10052, but the reason for this is not clear. His testimony in P.BM EA 10052 does not provide us with any extra information i.e. names, silver taken etc. (Gasse, 2001: 81), than what was given in P.BM EA 10054, leading to us to question why he has been brought back to provide the same testimony again. There is a possibility that he has been brought before the Tribunal to attest to another crime he committed during the reign of Ramesses XI.<sup>17</sup>

### **P.BM EA 10052**

P.BM EA 10052 is the largest text within the corpus that involves a significant number of thieves, as well as their friends, family, and associates. In terms of the dating of this particular papyrus, the first date recorded on the text is Year 1 of *whm mswt*<sup>18</sup> 4<sup>th</sup> Month of Shemu day 5 putting it as one of the later texts of this corpus, that is, within the later group of TRP texts. The trials themselves occur between days 5 and 10 of Shemu, with what Peet (1930: 136) as morning, afternoon, and evening sessions, as it would appear that breaks were taken in between examinations.<sup>19</sup> Nothing is known about the location, conditions, or length of incarceration of the accused, as there is no record, so we cannot speculate on whether these factors would have had an impact on the testimonies given. Several men are brought again on the final day of the examinations (10 Shemu) who were also brought on the first day, and either set free, or

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<sup>17</sup> There are some scholars (Thijs, 1998: 100) who believe that due to the reappearance of Fisherman Panakhtenipet in P.BM EA 10052, from P.BM EA 10054, these texts can only be a few years apart in date. However, this would discount large parts of the reigns of Ramesses IX, and XI, and the entire of the reign of Ramesses X. Therefore, this thesis will work from the conventional dates as determined by Von Beckerath (1997 & 2000), Gasse et al (2001).

<sup>18</sup> *whm mswt* being the period of 'renaissance' during the reign of Ramesses XI beginning in year 19 of his reign, in which it is debated on how much control the Pharaoh had over Egypt, and how much control the High Priests of Amun had (Edwards, Gadd, Hammond, & Sollberger, 1975: 640).

<sup>19</sup> As seen on Page 5 of the text where the Tribunal resume their questioning on day two of the Trials.

give further testimony and are found guilty. As noted by Peet (1930), the text itself is split into two distinct groups of robbers; those belonging to the ‘Bukhaaf group’ and those belonging to the ‘Efnamun group’. He notes that the Bukhaaf group consists of five members and begins on 1.1 of the text, and continues to 7.8, these trials are noted as being over the first three days of the trials (5-7 Shemu). From here there is an abrupt change to the Efnamun group on 7.9, which begins in the afternoon of day three (7 Shemu) with the testimony of Warehouseman Efenmontu and only has three members of the supposed group. It is clear from the names provided by Efenmontu that these two groups are separate from one another, and we do not see a resumption of the Bukhaaf group until 13.10, when the interrogation of persons connected to Bukhaaf and his men is resumed, with no introduction. The only significant changes after this are the dates on which the trials take place; for example it would appear that the ‘Efnamun group’ take place in the afternoon of day three to the morning of day four (7-8 Shemu), with the next recorded date being the evening of the fourth day<sup>20</sup> and then the sixth day (10 Shemu).<sup>21</sup> The date of 9 Shemu never appears in the text, though clearly trials were conducted on that day, and the interrogation of those associated with the Bukhaaf group continues from 8 Shemu to the end of the text on 10 Shemu.

It is clear from the context that the two groups are at entirely different points in the Tribunal’s examinations, as the Bukhaaf group begins with the leader of the group, Bukhaaf,<sup>22</sup> and establishes a core narrative for some of the robberies committed by that group in testimonies provided by the main thieves. On the other hand, the Efnamun group appear to be part way through their interrogations. The ‘leader’ of the group, Efnamun, and his brother Ihymeh, are presumed missing or dead, and only minor members of the group, or those with a passing connection to the robbery committed by them, are brought for questioning. It would seem that the Efnamun group has been brought before the Tribunal before we see them in P.BM EA 10052 for the second time this, as lesser members of the group (i.e. not the main perpetrators) have been brought, but are being questioned on behalf of these others. Presumably, these examinations would have followed the same pattern as the Bukhaaf group to elicit information and establish a core narrative.

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<sup>20</sup> BM EA 10052 14.10.

<sup>21</sup> BM EA 10052 14.21 & 16.15

<sup>22</sup> Though it is important to note that he is not the leader of the robbery they are investigating in this text. Bukhaaf appears to be in control of a much larger group of thieves, of which the thieves listed are a part, but in this instance, they have formed a splinter group to rob tombs by themselves.

Efnamun, the presumed ringleader of the group, is a Troop Captain, a high status individual (Snape & Wilson, 2007: 128), is not brought before the Tribunal. Neither is his brother Ihumeh. Peet (1930: 138 n.1) notes that Efnamun must have died before the trials as in both P.Mayer A (5.17) and in P.BM EA 10052 (7.11) the Imperfect Past Participle *wn* has been used in reference to him, meaning that he “was” a Troop Captain and is therefore probably dead or has fled. This would plausibly explain why he is not brought before the Tribunal in either P.BM EA 10052 or P.Mayer A. On the other hand, Ihymeh is not mentioned with the participle *wn* as Efnamun is, so it is not clear why he has not been brought before the Tribunal. It is possible that he has run away before he could be brought to justice, but this cannot be conclusively proven.

As mentioned previously, from 13.10 onwards the Bukhaaf group questioning is resumed, but those accused often have little to no connection to the robbery committed by the group examined from 1.1.-7.8. Instead, they are a series of testimonies of those accused who can add small pieces of information to the overall core narrative, i.e. if they witness silver exchanging hands, or a family member was known to be involved, but often do not have any part in the robberies whatsoever. These testimonies are far shorter than their counterparts that occur at the beginning of the text, leading to the conclusion that the Tribunal brought forward those whom they knew were directly involved, thus leaving those who may or may not have pertinent information for questioning later.

### **P.Mayer A**

P.Mayer A was started around the same time as P.BM EA 10052, and Peet (1930: 135) notes that it is written in the same hand as P.BM EA 10052. The opening date is Year 1 of *whm mswt* 4<sup>th</sup> Month of Shemu day 15 and places it 5 days after the events of P.BM EA 10052. Dates for the trials are not recorded as often as they are in P.BM EA 10052, with the date of 15 Shemu appearing at the beginning of the text, and the next date being recorded is 17 Shemu<sup>23</sup> with no further days of examination after day 17 recorded. Again, we do not know how long the accused were held, the conditions they were kept in, or length of incarceration, so we cannot speculate on whether these factors had any impact on the answers given or indeed the questions asked.

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<sup>23</sup> P.Mayer A 3.6

The closeness of the dates between P.Mayer A and P.BM EA 10052 suggest that there were on-going trials over a significant period during Year 1 of *whm mswt*, and that this continued into several different investigations. Several of the men who appear in P.BM EA 10052, as part of the Bukhaaf group and the Efnamun group, also appear in P.Mayer A. In this text, they act as witnesses for the confirmation of the acts the current accused are recounting, and occurs on page five of this text, and then on the verso on pages eight through to ten. Much like P.BM EA 10052, P.Mayer A contains two distinct investigations, one pertaining to the robberies of the *pr-n-st3*, and the other is a resumption of the investigations into the robberies committed by the Bukhaaf and Efnamun groups from P.BM EA 10052. Page 1.8-3.5 deals with the evidence and thieves related to the robbery from the *pr-n-st3*, page 3.6-5.end deals with the trials of those unconnected to the *pr-n-st3* robberies, but do relate to the Bukhaaf and Efnamun groups. Pages 6.1-7.3 form a continuation of the examinations of the thieves involved in stealing from the *pr-n-st3*, pages 8.1-9.end renew the examinations of thieves unconnected to the *pr-n-st3* robberies, but are the resumption of the interrogations of the Efnamun group from P.BM EA 10052, page 10 is concerned with the Bukhaaf group once more. Finally, pages 11-13 contain lists of the thieves examined, and the outcome of some of their examinations. The two groups are almost entirely separate, with the exception of Panehsy son of Tjat, who, as we know from the Abbott Dockets, is implicated in both cases (Peet, 1920: 6).

### **P.BM EA 10403**

This papyrus is dated to Year 2 of *whm mswt* 4<sup>th</sup> Month of Shemu day 16. It is very closely related in content to P.Mayer A as it contains some of the same accused and examining body<sup>24</sup> and the first words of the depositions are almost precisely the same (Peet, 1930: 169). In fact, the date recorded is a year and a day after the proceedings recorded in P.Mayer A. Peet (1930: 170) notes that both texts deal with the deposition of thieves who have stolen from the '*pr-n-st3*'. However, Peet believes that these two events, while similar, are not the same events, as P.Mayer A is also concerned with the *gs pr* of Seti I, whereas P.BM EA 10403 is concerned with the portable chest of Ramessesnakht or possibly two episodes from the same group's thefts'. The two Mayer passages refer to the same incident, in which two rings of copper are procured,

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<sup>24</sup> Scribe of the Necropolis Nesamunope is the one who is examining the thieves who are accused of stealing a portable chest in P.Mayer A and P.BM EA 10403. Nesamunope also appears on the examining body in P.BM EA 10052, but not in the same capacity.



and sold immediately to Ker and Anefsu. In P.BM EA 10403, there are also two rings of copper and they are laid *r n3 prw*(?). However, since the papyrus is but a fragment of a larger text, Peet (1930: 170) suggests that, although they seem to resemble one another superficially, it is more likely that the thieves concerned were part of two different robberies, as the rings of copper laid on the *r n3 prw* do not belong to the robbery seen in P.Mayer A.

### **P.BM EA 10383**

P.BM EA 10383 is dated to Year 2 4<sup>th</sup> Month of Shemu day 25 of *wḥm mswt*. The actual date line in the text reads ‘Year 2 4<sup>th</sup> Month of Shemu, day 25’; this leads Peet (1930: 123) to suggest that it can be reliably dated to year 2 of the *wḥm mswt* as it features some of the same officials that appear in P.BM EA 10052 and P.Mayer A<sup>25</sup> and comes eight days after the conclusion of the trials in P.Mayer A.

The first page is dedicated to the testimony of Scribe of the Army Kashuti, who details the account of the theft of a silver vase, page two contains five lines and can perhaps still be attributed to Kashuti, but this cannot be conclusively proven. Finally, page three contains the testimony of Panehesy, whom Peet (1920: 18) notes is the same accused as seen in P.Mayer A (13.B.3), where it is said that he killed three men. This account also details the dispute over a piece of wood that belongs to a ship’s fittings. The lower part of the document is apparently preserved in P.Pennsylvania UM 49-11-1, as yet unpublished.

### **P.BM EA 10053(v)**

P.BM EA 10053(v) is dated to the 2<sup>nd</sup> Year of the *wḥm mswt* day 25 of Akhet, which is the year after many of the texts in the TRP corpus. Nevertheless, Peet (1930: 123) notes that some of the same officials seen on the Tribunal in P.BM EA 10052 and P.Mayer A are also present here.<sup>26</sup>

The text itself consists of three pages, with what appears to be tearing at the bottom making it about half the size of a normal papyrus document (43cm). The first two pages are concerned with the robberies, with the first page concerned with the stolen silver from Medinet Habu and the testimony of Kashuti, and the second page consists of several empty lines, presumably left for additional content, followed by lines

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<sup>25</sup> See section 1.1.1. for full list.

<sup>26</sup> Namely, Vizier Nebmaatrenakht, Overseer of the Treasury of Pharaoh Menmaatrenakht, and Royal Butler Yensa.

concerning 1100 deben of copper that followed by several broken lines.<sup>27</sup> It could be that this is a continuation of the testimony of Kashuti, but this cannot be proven. The third and final page concerns a dispute over a piece of wood for ship fittings, and due to the damage to the bottom of the papyrus we cannot determine whether this incident has anything to do with the trials listed above.

### **P.Leopold II Amherst**

P.Leopold II Amherst is now held in Musées Royaux d'Art et d'Histoire in Brussels (E.6857), whereas its counterpart P.Amherst (now known as P.Amherst VII) is kept in the Pierpont Morgan Library in New York. While both are known by other names, they will be referred to using the names given to them in Peet's (1930), and Capart, Gardiner, and Van de Walle's (1936) publications to avoid confusion. The account of Amunpanefer can be found in two texts in this corpus, P.Leopold II Amherst, and P.BM EA 10054. The account that appears in P.BM EA 10054 is almost certainly a copy of an older text, which is more than likely to be that of P.Leopold II Amherst. P.Leopold II Amherst is dated to year 16 of the reign of Ramesses IX and therefore composed around the same time as P.Abbott; the famous investigation into the robberies from the tombs of 17<sup>th</sup> Dynasty Pharaohs. This places it some 20 years before the trials recorded in the rest of the TRP. Amunpanefer's testimony is also one of the more famous testimonies, due to his extensive description of his plundering of King Sobekemsaf's tomb by way of copper spikes<sup>28</sup> and setting the mummies on fire to collect the amulets upon them. The fragment known as P.Leopold II Amherst was discovered by Capart inside a wooden statue of 'Superintendent of the works and Royal Scribe' Khay in 1935 (Capart, Gardiner, & Van de Walle, 1936: 170) and discovered it to belong to the Amherst papyrus. The Amherst papyrus is extensively discussed by Peet in his article in the *JEA* (1925: 38), noting that the Amherst papyrus refers to the robbery in the tomb of Pharaoh Sobekemsaf and his wife Nubkaas of the 17th Dynasty at Dra Abu el Naga (Winlock, 1924: 222). Capart discovered that this new piece of papyrus directly matched the upper edge of the already existing Amherst Papyrus

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<sup>27</sup> Peet (1930: 124) notes that we have reference here to Penehesi, who could be the same Penehesi seen in BM EA 10052 (10.18) and was said to have destroyed Hartai and who killed 3 of the thieves listed in P.Mayer A (13.B.3). In P.BM EA 10053(v) he is said to have suppressed the superior of Peison, who was a guard of the 'House of Pharaoh'.

<sup>28</sup> These copper spikes are also found in P.Salt 124 (P.BM EA 10055) Page 2 (rt) Line 9 where Paneb is accused of stealing them (Černý, 1929: 245) as the phrase xA n Hmt is used each time. These copper spikes were used by workmen to carve out tombs, so it is not surprising to find Amunpanefer using one to break into one.

(Capart, Gardiner, & Van de Walle, 1936: 170), thus restoring the account of Amunpanefer and his companions. Gardiner notes (1936: 192) that there was a dispute over the date of Amunpanefer's examination. Originally, Gardiner thought the date of 'day 23' was incorrect due to a lacuna (Capart, Gardiner, & Van de Walle, 1936: 173, n.1), but in the postscript he notes that 'day 23' must be when the scribe 'wrote' the document, the day after the trial, but Amunpanefer's original testimony must have been given on 'day 19' (Capart, Gardiner, & Van de Walle, 1936: 184). This is due to the date given on 3, 16-18, which gives the date of 'day 19' for the examinations, and matches the date in P.BM EA 10054, therefore the record we have here must come from 'day 22' when Amunpanefer is brought to give his testimony again, as on Page 4 Gardiner notes that a session for the Great Tribunal begins again.

#### **1.4. Considerations Taken with the Data**

As with any data set, considerations about the data must be taken into account before embarking on any assessment of it. In the section above, it was discussed that the length of the texts have an impact on the amount of evidence that could be potentially collected from it. P.BM EA 10052 and P.Mayer A are the longest texts with most of the accused being part of the same robbery groups, and therefore contain the majority of the testimonies. These testimonies seem to contain many denial and acceptance answers from the robberies, and because of this, many different interrogatives/speech acts from the Tribunal. Other texts, such as P.Leopold II Amherst and P.BM EA 10054 contain fragmentary testimonies of one person, or of several unconnected people, and therefore provide us with less to work with overall. However, the testimonies we do have provide us with the long and detailed answers about the robberies that would be of great benefit to the Tribunal, and show us examples of answers that those accused give when they are not denying their involvement.

One notable thing about the two longer texts (P.BM EA 10052 and P.Mayer A) is that the longer testimonies, containing acceptance of guilt and information about the robberies, come towards the beginning of both texts. These testimonies usually belong to a group of those accused who are all, or are at least believed to be, part of the same robbery group. We see in P.BM EA 10052 and P.Mayer A that the Tribunal deal with these groups first, as the 'acceptance' answers they provide form a core narrative about the robberies in which these particular men and women took part. This is a common feature of several texts in the corpus, whereby robbers from the same group are

examined one after the other. What is different about P.BM EA 10052 and P.Mayer A is that these texts are longer than the others in the corpus, and therefore contain more testimonies. The testimonies that are not part of the groups do contain information, but are shorter and the accused more often than not use denial phrases in their answers rather than accepting guilt or admitting involvement. For instance, P.BM EA 10052 contains two groups, followed by testimonies that are shorter and not always connected to these groups, though this is not always the case. There are occasionally social or familial connections between the robbers such as the Townswoman Mutemwia (P.BM EA 10052 13.17-20), wife of Pewero, and sister of Townswoman Nesmut (a member of the Bukhaaf group), and Hori son of Efnamun (15.10-13), who is the son of the ‘leader’ of the Efnamun group. Some thieves from the two main groups, such as Bukhaaf (16.20-21) and Paynedjem (14.19-21), are also brought back for further examination.

The testimonies of those that follow these two groups are significantly shorter than those before them, as we see a change in the type of accused we are dealing with. It would seem that after the two groups of robbers are dealt with, the Tribunal move on to examining those who do not form part of any group, but may know information pertinent to the robberies. This is where we begin to see the majority of the denial phrases that will be discussed in Chapter Four. As these accused have less to say than those who form part of the groups who are examined at the beginning of the texts, the recorded ‘speech’ in the testimony is shorter, though they do still contain many of the standard formula/questions<sup>29</sup> that are common in these texts. However, even these standard formulas are often shortened as the text progresses, for example:

*Ex.1: P.BM EA 10052 5, 4-5*

*smtr inn ps-sntr ns-imn dd.tw n=f t3y-b3y n pr imn dd.tw n=f ʕnh-n-nb ʕ.w.s r-dd mtw=i<sup>30</sup> dd ʕd3 iw=f<sup>31</sup> hšb dd.tw kš*

*‘Examination. Incense Preparer Nesamun called Tjaybay of the house of Amun was brought. There was given to him an oath of the lord l.p.b, saying ‘If I speak falsely may I be mutilated and sent to Kush’*

<sup>29</sup> Such as being given the same oath ‘He was given an oath of the ruler saying, “If I speak falsely, may I be mutilated and sent to Kush.”’

<sup>30</sup> Conjunctive used as an introduction to a shortened oath (Junge, 2005:185)

<sup>31</sup> There is a pronoun switch from =i to =f in this section, though both of these still refer to Nesamun.

*Ex.2: P.BM EA 10052 13, 1*

*smtr inn nfw p3y-h3rw dd.tw iry=f<sup>c</sup>nh-n-nb <sup>c</sup>.w.s. tm dd <sup>c</sup>d3*

*'Examination. Sailor Payharu was brought. He was made to take an oath of the lord l.p.b. not to speak falsely.'*

This shortening of both the standard formula/questions and the 'speech' of the accused occurs in both P.BM EA 10052 and P.Mayer A. This can point to two equally valid scenarios; a) that the accused had less to say, as they were not as involved in the robberies as the Tribunal presupposed so there is not as much to record, or b) some form of scribal editing has occurred because the accused did not have much to say. Further discussion on this is found in Chapter Three (3.3.2.).

Therefore, another consideration of the data we must take is that of scribal 'editing' or 'standardisation'. The practice of scribal 'editing' or 'standardisation' is where the scribe recording the events has edited a text so it is not precisely what was said initially. It is clear that the TRP have been subjected to some form of scribal 'standardisation' with a certain formality being imposed on the structure and wording of the texts, i.e. the accused are always introduced in the same way, or an oath is always given before a testimony. When Hiltunen (1996: 21) refers to this while discussing the transcripts of the Salem Witchcraft Trials, he suggests that there will always be some instances where speech will be paraphrased because the accused or Tribunal/Judge spoke too fast therefore there was not enough time to write it all down. The same seems to be apparent in the TRP. However, he notes that the important parts of the speech will always be written down (Hiltunen, 1996: 21). Parkinson (2009: 92-93 & 120-121) states that scribes are not writing continuously, and in fact have to keep re-dipping their "pen" as the ink runs out, so writing speed can only be a few words per minute, therefore we must assume that a scribe in this case would not be writing verbatim. Culpeper and Kytö (2000: 59) also note that any transcription is likely to be an interpretation of the primary data by the scribe so therefore we must take this into account. Nevertheless, actual speech will be recording albeit in perhaps a shortened form, but the important elements will always be present.

Consequently, we might infer that any implicature that may be found in the testimonies must have been spoken by the accused or the Tribunal to have been recorded by the scribe in any meaningful way. There would be no other reason for a

scribe to record these instances. Indeed, Kryk-Kastovsky (2006a: 168; 2006b: 214) agrees with Culpeper and Kytö that pragmatic features traceable within the language make it possible to interpret records as an adequate approximation of speech.<sup>32</sup> From an Egyptological viewpoint, originally many Egyptologists, including Gardiner, Capart, & Van de Walle (1936: 187), believed that the TRP were fabricated by the Tribunal, until Wainwright (1938: 59) suggested that the scribe likely did edit the testimonies, but only for the purpose of making them more coherent. This being so, the inclusion of implicature (through focus constructions such as the Second Tense or Pseudo Cleft) would indicate that the scribe recording the testimonies of those accused was keeping a truer record of what was said, rather than simply noting down the most pertinent details.

Winand has written a (forthcoming) article on the practice of scribal standardisation in this corpus, and has suggested that while there is an element of standardisation within the texts, the testimonies are more faithful to what was said than has been believed. He also suggests that there may have been several stages in writing up these documents i.e. note taking during the trial, making a preliminary draft, and writing up the final document (Winand, 2009 forthcoming: 4). Of course, we have no evidence so far to back up the ‘preliminary draft’ stage, but Goelet (1996: 119) suggests that P.BM EA 10054 and P.Rochester could be examples of the second stage due to their structuring, and therefore a stepping-stone to a more complete document. Indeed, P.BM EA 10052 bears hallmarks of a break in the examining of those accused, and scribe’s notation of this. Peet (1930: 151) notes in his translation of P.BM EA 10052 that the scribe recording the text is leaving space after certain testimonies, particularly on page nine of the text where there are 15 blank lines after the testimony of Foreigner Paykamen (9.1-6), and 2 blank lines after the testimony of Sailor Nesamun (9.7-8), with ‘traces of a further line.’ In fact, Sailor Nesamun’s testimony only contains the standard formula for an accused being brought forward; with no testimony from Nesamun himself. The blank lines present us with several interpretations: 1) The accused was due to be brought forward, but testimony was not taken, therefore allowing the scribe to leave a space for the testimony when it was given; 2) the document is a further copy of the original court proceedings, and an accused’s testimony has yet to be recorded/taken; 3) or the accused was brought, but no useful testimony was given and thus not

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<sup>32</sup> Levinson (1983: 301) notes that this is due to the rigidity of the turn taking system that is the norm for transcriptions of legal texts, making it easier to assess each party’s actions.

recorded. It would seem that either of the first two scenarios are more likely than the third, since very succinct testimonies are recorded, and therefore would fit in with the view put forward by Goelet that the texts went through several stages of write up before they became the ‘finished product.’

Winand (2009 forthcoming: 6-7) also suggests that those accused were unlikely to have said the whole ‘curriculum vitae’ of a fellow robber when talking about their involvement, and therefore stating that this must have been added in later by the scribe when he was writing up the document. David (2006, 2010) also discusses the legal framework within Ramesside legal documents. She demonstrates that while the speech of the accused may be recorded almost verbatim, there are legal formulas surrounding the testimonies, such as the oaths against falsehood taken, that are part of standard legal procedure. This includes the oath formula “If I speak falsehood, may I be mutilated and sent to Kush,” seen at the beginning of the majority of testimonies in the TRP. Another major legal text from the New Kingdom, the Judicial Papyrus of Turin, relies heavily on this legal formula just like the TRP. However, unlike the TRP the JPT does not contain any discourse between the overseers of the trial and those accused. In fact, it is all heavily edited to reflect exactly what the court wished to record. For example:

*‘The great criminal, Mesedsure,<sup>33</sup> formerly butler. He was brought in because of his collusion [with] Pebekkamen, formerly chief of the chamber, and with the women, to stir up enemies to hostility against their lord. He was placed before the great nobles of the court of examination; they examined his crimes; they found him guilty; they brought his punishment upon him.’*  
(Breasted, 1906: 214; KRI V 350-360)

The language used here is very similar to that of the TRP, but what is lacking is the discourse between Tribunal and accused that is present in the TRP. This would suggest a higher degree of editing and summarising on behalf of the scribe who recorded the JPT, and less so on the behalf of the TRP scribes. If a scribe has edited a text, then surely it would only provide the information that was most pertinent to their investigation, as is seen with the JPT. Though, an argument could be made that letter writing at this time would have also been recorded by a scribe, to whom it was being dictated. The scribes of the TRP do not record information in the same manner as the JPT. Instead, we have a wide range of testimonies that range from very detailed to short

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<sup>33</sup> Meaning ‘Re hates him’ Many defendants in this papyrus are referred to by the title ‘the great criminal’

blunt answers of denial. This in itself is more evidence towards verbatim recording. In light of this we must ask ourselves; If the TRP, as so often has been believed in the past, are seen as heavily edited and not verbatim accounts, then why do the scribes recording them go to lengths to record numerous different types of answers, and not just those of the accused who confess? If these texts represent heavy scribal interference, what was the reason for recording these testimonies as they do, and not in the shortened form as seen in the JPT? Accountability on behalf of the state? How does this information affect our understanding of the way in which texts like this were written and composed? The evidence leans to the side of a more verbatim account, with formulaic structure and minor edits added/made by the scribe, but we must assess both sides of the argument.

Finally, we must take into account when these texts were written. P.Leopold II Amherst was written up after the Tribunal had twice examined Amunpanefer.<sup>34</sup> Indeed, the composition of the text is much different to any of the other papyri in the corpus, with the Hieratic script written neatly, compared to other text where the hieratic has been written with less care, and there are addendums to the text in the margins (Eyre, 2013: 308).<sup>35</sup> While we know Amunpanefer was examined on two separate occasions, with the second examination written up the day afterwards, we cannot say the same for the other texts in the corpus. We do know the precise date the thieves were examined on, but we cannot conclusively prove that these dates the documents are the dates on which they were written. The same holds true for how many times the thieves had been brought before the Tribunal. We know that several members of the Bukhaaf group in P.BM EA 10052 also appear in P.Mayer A, demonstrating that they were brought before the Tribunal on at least two occasions for their crimes. What it does not show is whether or not these thieves have been brought before the Tribunal before this point, as this could be a factor in the way they answer. This is something that will have to be taken into consideration while examining the accused's testimonies.

Ultimately, we cannot be certain how true a record the TRP are. They could be considered an almost verbatim document, with minor edits made by the scribe when

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<sup>34</sup> See Section 1.3.2.

<sup>35</sup> Eyre (2013: 308-309) notes that is common practice for the Egyptians to reuse old papyrus for short notations as small sheets of papyrus were difficult to store, and it is not uncommon to see administrative notes on papyri that predate the note by decades. See P.BM EA 10052 pages 1a and 2a for examples of scribal addendums.



recording the testimony, but also could be a heavily ‘scribified’ version of events written up after a testimony has been given. Therefore, both interpretations should be considered when analysing the text.

## 1.5. Glossary

For convenience, below is a glossary of terms used in this thesis, and a short explanation of their meaning in the Ancient Egyptian setting:

**Tribunal** – A term used in this thesis to describe the entire body of people who presided over the Great *knbt* in these trials. For further information on the people who make up the Tribunal, please refer to Section 1.1.1 and Chapter Two (2.2).

**Accused** – Term used to describe those on trial in the TRP. In the TRP the words ‘thief’, ‘thieves’, or ‘great criminal’ are used when referring to the accused. Since this term is biased in favour of the Tribunal’s ‘Guilty until proven innocent’ mentality a more neutral term has been found.<sup>36</sup>

**Legal Proceedings/Trial** – Judicial proceedings in the New Kingdom did not take place in a courtroom as we would imagine it (see Section 1.1.1.) so trial or legal proceedings would be a better choice to describe the setting for these examinations.<sup>37</sup>

**Scribification** – Term used to describe the potential doctoring or editing of the documents by the Scribe who was in charge of writing down the proceedings.

### A Note on the Author’s Transliteration and Translation

In my transliteration and translation, a standardised practice is followed: ... denotes a lacuna with no restoration, [ ] denotes a lacuna with restoration, < > denotes an omission made by the original scribe, whether intentional or accidental, and ( ) denotes a modern addition, usually in the translation to give proper English sense or to provide clarification. In cases where an Egyptian word is legible but the meaning is unclear, \_\_\_\_ denotes an unknown transliteration and a (?) denotes an uncertain translation.

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<sup>36</sup> Note that when referring to Modern or EmodE accused that the word ‘defendant’ is used. This is due to the accused of these two time periods having legal counsel, whereas the accused of the TRP do not.

<sup>37</sup> Again, when referring to Modern or EmodE trials, the word ‘courtroom’ will be used to better reflect their own setting.

# Chapter Two: The Social Microcosm of the Tomb Robbery Papyri

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## 2.1. Introduction

Before the main questions of the thesis are addressed there is a need to place these texts within the social microcosm of the Theban area, since those involved worked and resided in Thebes itself. One of the first things we learn about each individual accused are their name and job title, and these socio-cultural factors play a crucial role in how a person is defined in Ancient Egypt (Meskell, 2007: 8). We also learn that many of these accused know each other both socially and through family connections such as being the wife or child of another accused brought to Trial. Both the job titles and the socio-familial relationships of the accused play central roles in how these accused relate to the Tribunal and to one another. What has been noticed throughout the initial study of the TRP is that the overall discourse between Tribunal and accused is occurring between two very different sets of people; The Tribunal, constructed from some of the highest officials in Egypt, and the accused who come from all walks of life, from Slaves to Scribes of the Army. This chapter aims to briefly assess the social status of both the accused and the Tribunal, through their job titles and socio-familial relationships so that we may have a better idea of just who was interacting with each other in these texts.<sup>38</sup>

## 2.2. The Tribunal

The members of the Tribunal are of a significant social status, with the Vizier and Scribe being representatives of Pharaoh during these trials and examinations. Indeed, P.Leiden 348 notes that it is the *srw* 'Officials' were the highest ranked and in charge of the local populace (Bogoslovsky, 1981: 6).<sup>39</sup> This is in stark contrast to the accused they are questioning, where many are low down in the social order; for instance, the Slave Degay in P.BM EA 10052, who is the slave of another accused who is being questioned, people who belong to Overseers, or the wives and daughters of the accused. Lesko (1994: 16) notes that after the Amarna period, most of the high ranking members of society moved away from Thebes towards the new power centres the

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<sup>38</sup> This is by no means an extensive or exhaustive investigation into the social microcosm of the Theban area during the time of the TRP. The function of this chapter is to give a social background to the participants within the discourse to better situate the TRP in the social and historical narrative.

<sup>39</sup> For translation see P.Leiden 348 vo.9, 9-10, 8 (Gardiner LEM 135-137), Cf. Caminos (1954: 497-498).

Pharaoh had in the north, thus leaving Thebes with a smaller population consisting of local governance, priests, those who worked off temple land, and those who were craftsmen for the necropolis. In the introduction, it was noted that local crimes were dealt with by local officials and at the local *knbt* court (Allam, 1991: 110-111). With the crimes being investigated in the TRP being significantly larger and of a more serious nature, higher ranked officials were brought in to oversee the trials. Since it has been noted that many officials moved to power bases in the north of Egypt after the Amarna period, it is highly likely that many of the officials who presided over the TRP trials had travelled to Thebes for the event.

These ‘high ranking officials’ are termed in this thesis as ‘the Tribunal.’ This is not a Tribunal as modern readers might know it, but is in fact a group of officials, led by the Vizier, who oversee the examinations of the accused, and all have the ability to ask questions. Indeed, P.BM EA 10052, P.BM EA 10383 and P.Mayer list the men who preside over the trials as:<sup>40</sup>

- Governor of Thebes and Vizier Nebmaatrenakht
- Overseer of the Treasury of Pharaoh and Overseer of the Granary Menmaatrenakht
- Overseer and Royal Butler Yensa, who was also Fan Bearer of Pharaoh
- Steward and Royal Butler Pameriamun, who was also Scribe of Pharaoh

In P.BM EA 10054(v) and P.Leopold II Amherst:

- Governor of Thebes and Vizier Khaemwese
- Royal Butler Nesamun, Scribe of Pharaoh
- Royal Butler Neferreemperamun, Herald of Pharaoh
- Governor Pesuir [of] Thebes

In P.BM EA 10403 (the only member known):

- Scribe Nesamunipet

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<sup>40</sup> Other texts from this corpus do not list those who presided over the trials, and therefore they cannot be listed here.

In most cases, when the official asking the question is named, it is the Vizier who is responsible, with only a few examples of the other officials interjecting to ask their own questions.<sup>41</sup> The majority of questions posed to the accused are phrased *'They said to him/her...'* with no clear indication as to who asked the question.

The Vizier is the only one who can preside over criminal matters, as these were often severer crimes that required the involvement of the state, and could not be dealt with locally (McDowell, 1999: 185; Moreno Garcia, 2013: 9-10; Haring, 2010: 218). Indeed, the sentence of a death penalty could only be given with the formal approval of the Vizier (Grandet, 2013: 859), so it makes sense that he was present at the TRP trials so that this particular punishment could be approved. The Vizier was also responsible for confirming all the decisions of local courts as valid, as without his approval the verdict could not be passed down (Grandet, 2013: 861) thus making him a type of supreme administrative judge.<sup>42</sup> As Head of the Government and Administration, it was the Vizier's job to report to the Pharaoh on matters of State each morning before the Royal residence was opened, therefore making him a close confidant of the King and high member of society (Grandet, 2013: 878).<sup>43</sup> It was also the role of the Vizier to supervise the collection of the Government's share of the harvest (Grandet, 2013: 882). With the economic problems that existed at the end of the Ramesside period, we could perhaps attribute some of the hostility of the accused to their anger at not being paid or having what they may have thought of as too much grain taken from them at harvest.

Other members of the Tribunal are equally as high ranking as the Vizier. For instance, the title of Overseer of the Treasury of Pharaoh was a prestigious one, existing as early as the 4<sup>th</sup> Dynasty, and common place in the New Kingdom (Papazian, 2013: 73-76; Grandet, 2013: 868). The person who held the title was responsible for the Treasury. This treasury was a place in the Royal palace where precious materials were stored, such as metal objects or linen. The Overseer of the Treasury, therefore, was responsible for administering the resources of the country (Grandet, 2013: 868). The title of Overseer of Granaries was equally important as the person who held the title was responsible for all the grain stores in the country and is also attested from the Old

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<sup>41</sup> **P.BM EA 10052:** 4.1, 12.13, 13.6, **P.BM EA 10403:** 3.16

<sup>42</sup> Duties of the Vizier, col. 8-9 (*Urk*, IV 1107, 3-9) cf (Grandet, 2013: 861). This text from the tomb of Rekhmire (TT100) is an invaluable document in describing the duties carried out by the Vizier, and seems to be, in part, a transcription of official regulations (Grandet, 2013: 877).

<sup>43</sup> For a more in depth discussion of the various mythological and social roles of the Vizier, see Grandet (2013: 875-886).

Kingdom. Both the Overseer of the Treasury and the Overseer of Granaries reported to the Vizier on matters concerning economic production (Grandet, 2013: 881). The Royal Steward is one of the most important officials after the Vizier and the Overseer of the Treasury (Quirke, 2004: 50-51), as they were responsible for supplying the Royal Court and residences with food. Royal Butlers were also close to the Pharaoh, as part of their responsibilities were to help the King dress and also represented the ruler in desert activities as many of them were 'Egyptianised' foreigners (Coleman Darnell, 2013: 218). The title Scribe of Pharaoh which, given that writing is vital to the administration, must have been a mandatory inclusion in the Tribunal overseeing the TRP trials. The majority of the Egyptian administrative 'elite' were trained as scribes, and thus many had the title of *sš n(y)-swt* 'royal scribe', but Grandet (2013: 865) notes that during the New Kingdom it was very common for many administrators to bear the title at the top of their titulary.<sup>44</sup> Finally, we have the title of 'Governor of Thebes'. This title is one that does not belong to the Central Administration of Pharaoh, as the rest of the Tribunal do, but to the Local Administration of Thebes. Grandet (2013: 886) notes that the Governor of each capital city of each province reports directly to the Vizier, so it is likely that Governor Pesuir is on the Tribunal as a representative of the Local Government.

### 2.2.1. The Egyptian Idea of Hierarchy

The Egyptian view of the hierarchy that existed in the higher ranks of their society can be hard to define, but there are textual clues as to how officials were ranked after the Pharaoh. One such text, published by Assmaan (1970), is *Der König als Sonnenpriester* (The King as Sun Priest), which has 12 sections divided into two groups of six (Grandet, 2013: 835) and states:

*The name of King Nebmaatre is in the heavens as Re;  
He lives from exaltation as Re Hortakhty,  
At the sight of him the 'notables' rise, exulting,  
And 'the people acclaim' him on their knees...' (Grandet, 2013: 837)*

The description here is metaphorical, supposed to represent functional orders, but it demonstrates to us that the Egyptians believed that there were definite distinctions between members of Egyptian society, seen here with the distinction

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<sup>44</sup> The practice of this automatic adding of 'royal scribe' to the titulary seems to have begun during the reign of Amenhotep III (Onasch, 1998: 331-343).

between the ‘notables’ and the ‘people’ clearly separating them into two different tiers of society. This text is no doubt biased towards the state’s perception of their society, but it is still interesting to consider as an example of how the Egyptians perceived themselves. Grandet (2013: 850) notes that Pharaoh got his power from the gods, and divided up this power to his high-ranking officials, and they themselves delegated power to their underlings, and so on and so forth down the societal structure. This forms a sort of ‘pyramidal’ structure of society whereby the power of the country was held by a few, and the further down the pyramid you go the less and less power you have. The members of the Tribunal occupy the top tiers of the pyramid, as they are the Pharaoh’s closest confidants, whereas the accused occupy some of the lowest rungs of the pyramid due to their lack of power, though there are some that occupy higher positions which will be discussed in Section 2.3.

We know that the Ancient Egyptian administration was comprised of two tiers; central and local administration. Grandet (2013: 863) notes that it is almost impossible to ‘build a precise organisational chart’ for these officials due to the ambiguous nature and incomplete nature of the sources we use to build them. This is alongside the fact that it can be difficult to tell whether a particular administrative official is from central or local administration, and due to the complexity of the records we have. One record we do have that gives us some idea of how the Egyptians saw their levels of administration is the Onomasticon of Amenemope, which dates to the end of Ramesside period, in which is detailed a list of names of elements of the environment to people and resources, compiled by Egyptian scholars in a hierarchical list (Grandet, 2013: 866).<sup>45</sup> Out of the officials that are listed as overseeing the TRP trials, Herald of Pharaoh comes highest on the list (n° 80), followed by the Royal Scribe (n° 85), then the ‘Vizier and Overseer of the Cities of Egypt’ (n° 86), Overseer of the Treasury (n° 90), and finally Overseer of the Granaries (n° 121) (Gardiner, 1947: 24-42). The Pharaoh himself is listed at n° 67, so we can see that the members of the Tribunal are considered by the Egyptians, at the very least the Egyptian ‘elite’, to be some of the highest members of Egyptian society, and therefore makes their interactions with the accused all the more interesting.

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<sup>45</sup> It should be noted that there are discrepancies and repetitions in the text, which can make interpretations difficult.

The Teaching of Khety also provides with an insight into how the Egyptians might have perceived various professions. Of course, this text is also known as the ‘Satire on Trades’ as it extols the virtues of the Scribal profession, while pouring scorn upon other trades (Parkinson, 1997: 273; Neunert, 2010: 16). Nevertheless, it is an interesting text to contemplate when discussing social hierarchy in Ancient Egypt, as it puts forth the idea of an idealised Scribe being more desirable than any other profession (Neunert, 2010: 16). Indeed, many of the professions depicted (Goldworker, Gardener, Field Worker, Fisherman etc.) are ones that are held by those accused in the TRP, therefore distinguishing them as ‘lowly’. The distinction seemingly made here seems to be one of literacy vs illiteracy, with the reason Khety gives for the Scribe’s apparent superiority over the ‘lowly’ workers is found in his education and the betterment of himself through it (Parkinson, 1997: 280-281 stanzas 26-30). The same implication, that those who do not participate in manual labour, and associated unpleasantness, are of a higher social rank and therefore favoured by the gods due to their wealth and status (Neunert, 2010: 17), is also found in the Teaching of Ptahhotep:

*Respect him for what he has made of himself.  
For wealth does not come of its own accord,  
But it is the ordinance of the gods for one whom they favour.  
As for him possessions, he has gathered them himself,  
But it is God who has made him respectable  
And watches over him even when he sleeps.’* (Ritner, et al., 2003: 135)

Neunert (2010: 17) notes that such examples do not just describe the advantages that the higher social position provides, but also shows that these texts offer opportunities for ‘perception and value judgements’ associated with the Ancient Egyptians i.e. jobs that seem more attractive or garner more respect, often have a higher social status attached to them, but this also depends on an individual’s perception on different moral and aesthetic ideals.

### **2.3. The Accused**

As already noted, there is a distinct difference between the social status of the officials that make up the Tribunal and the accused. While the social standing of the Tribunal has been established, and can be done so with relative ease, the social status of the accused in the TRP is far more complex than it would appear on the surface, with accused coming from several different social stratifications; from Slaves to Scribes of

the Army, and from Brewers to workers associated with the Overseer of the Cattle of Amun. This section will attempt to show the vast array of titles and socio-familial relationships that exist in the TRP, and how these contrast with those of the Tribunal. It should be noted again that this is not an exhaustive study of the social microcosm of the Theban area, but a brief insight into the window the TRP opens on the interactions between those of a high status and those of a much lower status, and how this feeds into the discourse we see in the texts.

### 2.3.1. Where do the Accused Come from?

It is worth noting at this juncture that the accused brought before the Tribunal in these texts are not solely from the worker's village at Deir el Medina,<sup>46</sup> but actually from Thebes itself. It seems that much of the scholarship done on the TRP is based on the assumption that all robbers come from the village, but looking at the papyri in more detail it would seem that this is not the case. Vernus (2003: 47) states that nearly all the accused listed in the TRP come from Thebes, with many having acquaintances or familial relations who lived or worked on the West Bank, and therefore could inform them about the tombs and their security. For example, 11 of the 13 men listed by Herdsman Bukhaaf during his examination work in or around the temple of Amun or Thebes itself.<sup>47</sup> Indeed, we even have examples of thieves utilising Fishermen or Sailors in the area to ferry them over to the tombs, thus indicating that they live in Thebes and not Deir el Medina. In the trial of Fisherman Panakhtenenipet (P.BM EA 10052 14.15-16) for example he is accused of knowing what the thieves took when he ferried them over. In both P.BM EA 10052 and P.Mayer A, Sailor Nesamun is involved in ferrying those of the Efnamun group over to the tombs and admits as such to the Tribunal. There is only one person listed as being from *'st m3'r'* 'Place of Truth', the ancient name for the village, who is examined by the Tribunal; Carpenter Tjauenany (P.BM EA 10052 8.17). One other is listed as having connections to the village, Townswoman Mutamun wife of Amunrekh of the Place of Truth (P.BM EA 10053 (rto) 7.8). However, she is not recorded as being examined by the Tribunal, though she was in possession of 10 kite of silver.

Robbery groups, and division of the loot were also heavily reliant on socio-familial relationships as robbing tombs and hiding the evidence would require a great

<sup>46</sup> With perhaps the exception of the cluster of TRP texts surrounding the Year 17 Ramesses IX episode with the Turin 'Giornale' text, P. BM EA 10053 rto, and BM EA 10068 rto.

<sup>47</sup> A list of these men appears in Chapter Five Section 5.4.



deal of trust. This will be discussed alongside the case studies in Chapter Five. With this in mind, the traditional data on social status, usually gathered from the inhabitants of Deir el Medina, may not provide us with much insight into the social status of the accused in the TRP as the majority of accused are not from Deir el Medina, nor do they have the same titles. The majority of the accused are average Egyptians living in and around Thebes and their job titles reflect this.

Take, for instance, the ‘Bukhaaf group’ of BM EA 10052.<sup>48</sup> The ‘leader’, Bukhaaf, is a Herdsman, whereas two others are Incense Preparer, a Trumpeter, a man listed as a Foreigner, the son of a ‘Singer of the Offering Table’, and a wife of one of the accused. Some of these titles demonstrate that these men work in the temples of Thebes, mainly the temple of Amun, or at least had links to the temple. Townswoman Nesmut is the wife of Trumpeter Perpatjau, and though not directly involved in robbing tombs, she does aid the group in storing silver. The foreigner is named as Userhetnakht and is said to be in the employ of the Governor of Thebes, which demonstrates that these were not just manual field labourers, but also workers in the employ of some of the highest ranked members of the administrative elite (Grandet, 2013: 870). It is also mentioned in several testimonies belonging to this group that some accused visited, or were brought to, another group member’s house in order to plan out the robberies. After the robberies the silver is even stored in one of the robber’s homes. This is clear evidence that these accused knew where one another lived, and were in at least some social contact with one another prior to the robberies. Another example of the accused living close to one another comes from the Efnamun group. This group, as mentioned in the introduction, is rather splintered as many of the members have not been brought forward for trial, but one that has, Servant Sekhahatyamun, mentions being brought into Efnamun’s house to overhear Efnamun and his brother Ihymeh arguing. This shows us again that at least some of the accused are aware of where others in their gang lived, and how they could be contacted.

However, many testimonies of the accused give no indication about where they resided, nor that they knew where any of the other accused resided either. Only one other accused mentions where he lives during his testimony, Wab Priest Pawenesh, who

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<sup>48</sup> The Bukhaaf group forms the basis of a Case Study in Chapter Five. As such it is only briefly described here for the purpose of establishing the close connections of the group.

states that he ‘lives in a small house in the temple of Mut’, which clearly indicates that he resides somewhere in the temple complex of Karnak.

### **2.3.2. Titles of the Accused**

#### *Higher Status*

There are a number of higher ranked officials mentioned as being involved or having links to the robberies within the texts, including Overseer of the Cattle of Amun, Governor of Thebes and Scribe of the Army. In fact, in the later stages of BM EA 10052, two accused who hold the title Scribe of the Army are directly interrogated by the Tribunal. One of them, Hori, is the son of Troop Captain Efnamun whom the Tribunal have determined to be the ringleader of one of the robbery groups. Another Scribe of the Army is Qashuty, who is interrogated at length in P.BM EA 10383. The titles held by these men establish their high position within society, thus showing us that the investigation into tomb robbery includes all members of society, and the robberies themselves seem to have been committed by a diverse range of people. In fact, the Onomasticon of Amenemope lists Scribe of the Army at n° 88 (Gardiner, 1947: 26), which is higher than two members of the Tribunal; Overseer of the Treasury and Overseer of the Granary. There are others, who hold titles, such as Efnamun who is a Troop Captain, that are far higher than most of those accused (Snape & Wilson, 2007: 127-128). However, many of those accused are not actually brought before the Tribunal so we cannot properly assess the impact of testimonies of these higher status accused on the overall TRP discourse. Testimonies of those higher status accused we do have, in preliminary findings, seem to be more willing to attempt to argue with the Tribunal than those of their lower status counterparts, often through the use of rhetorical questions, which will be discussed in Chapter Three. It is not always the case that those of higher social status break with the social norm, i.e. respecting the Tribunal’s authority during proceedings, as there are several examples of lower status accused not giving due deference to the status superior Tribunal.

#### *Lower Status*

Many of the accused who appear before the Tribunal either work in the temples, have manual labour jobs such as Fisherman, Gardener, and Herdsman, or are listed as ‘slaves’ or relatives of other accused.<sup>49</sup> Meskell (1992: 235), notes that the terms for

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<sup>49</sup> Wages for these workers in the TRP are hard to determine. Neunert (2010: 98 - 101) notes that there is no known wage for a Fisherman or Gardener at Deir el Medina, so we cannot use wages as a fair marker of status in this case.

slaves and servants can be confusing particularly in legal texts. This is due to the fact that the term servant/slave can be sometimes used in legal texts in a humble or reverent way to denote the accused's humility before the court (Černý, 1973: 180). Therefore, we must be aware of this when looking at the responses of those accused whose title is listed as 'servant' or 'slave' as this may not accurately reflect their social status. These are not people who are high up in the social order of Egypt at this time. Even so, some of these lower ranked individuals were able to possess slaves, as is the case with Herdsman Bukhaaf, and Townswoman Eše.<sup>50</sup> This is despite their income from the state being relatively low, indeed many had additional jobs to supplement their income (Ezzamel, 2002: 523-529), thus leading Lesko (1994: 21-22) to suggest that this is most likely the result of work outside of their usual employment, i.e. crafting things to trade with others, or performing tasks that others could not, which allowed them to gain extra income. Indeed, Bogoslovsky (1981: 7-8) notes that during the Ramesside period some of titles of Craftsmen became more prestigious. However, this is specific to Deir el Medina and we cannot say that this applied to the wider Theban populace, but it is a point to consider when examining social status. Further to this, McDowell (1992: 197) states that the price of cattle was quite high, 141 deben for a mature Ox and 20 deben for a young one. Perhaps Herdsmen like Bukhaaf made some of their wealth from the sale of their animals?

Nevertheless, these people would still be low in society, and during the economic crises that plagued the 19<sup>th</sup> and 20<sup>th</sup> Dynasties it was likely that this work dried up, thus forcing these men and women to seek alternative means of income. Indeed, the economic crisis of the 19<sup>th</sup> Dynasty was what led so many to steal from tombs, and evidence from P.Abbott shows that even the local Governors of Thebes were involved and perhaps sanctioned the looting. Could any disrespect towards the Tribunal be as a result of previous state sanctioning of tomb robbery, and the conclusion that theft had occurred but on a minor scale, thus giving the impression that the state had gotten away with it? This is likely something we cannot prove conclusively, but it is an interesting idea to have in mind when discussing interactions between the two, since little has been written in Egyptology on the interactions between people of different social backgrounds in Ancient Egypt. Lesko (1994: 23) and McDowell (1990:

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<sup>50</sup> *ḥꜥ n niwt* 'Townswoman' is the Egyptian term for what Lesko (1994: 35-36) terms as an 'independent woman', but it is unclear how often this term was used. Certainly it appears throughout the TRP, and also occurs in texts from Deir el Medina such as the Will of Naunakhte (P.Ashmolean 1945.97).

271-277) both note that there are instances where the local influential townsmen, who were more often than not part of the local judiciary system, were known to have been capable of cruelty towards those of a lower status.

So what we see in the TRP is the interaction between those from some of the highest rungs of society, interacting with those from some of the lowest, in ways we usually do not encounter from the Egyptian record. This poses some interesting questions about how they interact with one another, particular as the initial assessment of these interactions in discourse would suggest that the accused are utilising focus constructions, and negative forms in order to fight the charges against them, thus making the responses impolite and not the type of reply one would expect from someone of a lower status when speaking to someone of a higher status. It may in fact indicate a social disconnect between those of a higher status and those of a lower status during this period.

### **2.3.3. Socio-Familial Relationships**

It's already established that the accused in the TRP often worked in groups in order to rob from the tombs (Peet, 1930). What is also apparent when these texts are analysed is that in order for these groups to have formed, there must have been some sort of socio-familial contact between these accused. In fact, many accused are related to one another or are even employed as servants/slaves for another accused.

This notion of kinship is important for understanding the accused's socio-familial identities throughout the TRP. Kinship, within society, gives people a familial identity with the people that surround them and also is important for social structure and cohesion (Smedley, 1998: 691; Meskell, 2007: 26). People in ancient societies were often equated with members of their family via their names, such as a man being named as "son of" when he is addressed (Smedley, 1998: 691) and this, alongside the use of an accused's title, is one of the main aspects of social identity within the TRP. However, when assessing these familial links we must bear in mind that Egyptian words for kinship are limited (Bierbrier, 1992: 2), and these words are *sn* and *snt* for brother and sister, but also meaning cousin, aunt, uncle, nephew or niece, and *s3* and *s3t* for son and daughter, but also meaning grandchildren or children that belonged to a spouse which were not their own (Robbins, 1993: 98-99; Allen, 2000: 143), so we cannot say precisely which family member is being spoken of, but we do know that it is a familial relation of some kind. What we see happening in the TRP are some accused who are related to one

another, and also commit robberies together. This is the case with both the Bukhaaf and Efnamun groups of BM EA 10052. In the Bukhaaf group, the familial relationship is between Trumpeter Perpatjau and Townswoman Nesmut, who are husband and wife. Their familial relationship proves fruitful for this particular group, as even though Nesmut is not directly involved in the robberies, she aids her husband and his accomplices in storing their stolen silver. Also from the Bukhaaf group is Slave Degay, who is said to be owned by Bukhaaf. While this is not strictly a 'familial' relationship, slaves and servants in Ancient Egypt were often considered part of the family as well as living alongside them and could be adopted into the family (McDowell, 1999: 43, Eyre, 1992: 207), so Degay would have known Bukhaaf as a member of his household and is shown to know his master's movements in relation to the robberies. In the Efnamun group, we have Efnamun and Ihymeh, whom we are told, by another accused, are brothers. Neither is brought before the Tribunal, so it is difficult to assess the impact their familial relationship might have had on the organisation of the robberies themselves, but due to the testimony of another accused we know that they are implicated in the robberies due to a fight between them.

Outside of robbery 'groups' we have several examples of family members being brought before the Tribunal in order to answer questions about the robberies. Two of these are Townswomen, and wives of the accused, who have been brought before the Tribunal as the Tribunal suspects they might be able to answer questions about their husbands' involvement. Others are brought on account of their fathers, who were involved in tomb robbery some years previous, and the Tribunal wish to know if they remember anything to do with the men their father's robbed the tomb with. So it is clear that the accused utilised their familial relationships to aid them in the robberies, and the Tribunal are willing to use familial relationships between the accused as a resource for investigating the robberies that occurred.

Social relationships are much more difficult to assess in this context. It is evident that those who formed groups, and went to rob the tombs together, also had social relationships outside these groups. What can be difficult to assess is how much they knew one another, and how this might have affected the robbery groups as a whole.

In the Bukhaaf group, there are three distinct mentions of the homes of the accused within the testimonies. One is for the home of Perpatjau and Nesmut, where

the silver from the robberies is said to have been stored. Another is to the house of Shedsukhons, who claims to have been woken in the night by an accomplice and brought to Perpatjau's home for discussion about the robbery. The final one is from the testimony of Bukhaaf, who claims Townswoman Nesmut came to him in the middle of the night to inform him of the robbery the group had committed. So a conclusion we can draw from this, at least in the case of the Bukhaaf group, is that they members of the group had strong enough social relationships to know where the other members lived. It would suggest that this is a strong, cohesive group that had probably been robbing tombs for a while.

In contrast, the Efnamun group seem to be a far less cohesive group which is comprised of people from the same household or living in very close vicinity, and even one forced to be against his will i.e. Slave Kerbaal. It's a very small group, comprised of only 5 members compared to the Bukhaaf group's total of 13 (including the 6 member Shedsukhons' splinter group), and could be said to have been formed out of opportunistic greed. This is said to be typical of situations where social groups form on the basis of seeing others doing something and wishing that they themselves were also doing it and setting up a similar group in order to do so (Reicher, 2004: 923; Terry, Hogg, & Duck, 1999: 282). So therefore, we can suggest this group's social relationships are based on a group that came together specifically to engage in tomb robbery.

In P.Mayer A there is a group who is accused of robbing the *pr-n-st3*, discussed further in Chapter Five, which is comprised entirely of men who work for a temple (the dual temple of Sobek and Horus or the temple of Montu), or who belong to those who do. Vernus (2003: 34) notes that all the accused in the TRP are employed, even if only in subordinate positions, with a few who held higher ranks such as Scribe of the Army or Divine Father. So, therefore, it is important to recognise that social relationships not only come from living close to one another, but also from working alongside one another. It would seem that this group in particular was connected, and likely formed, from their close social ties created in the temples they worked in.

# Chapter Three: Questions, Speech Acts and Impoliteness

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## 3.1. Introduction

This chapter investigates how the Tribunal attempts to gain information from the accused. In order to understand why the accused answer as they do, we must first look at how the Tribunal choose to address them. Throughout this corpus, testimonies are structured using the same format;

- The accused is brought and they are given a standardised oath not to speak falsehood or be punished (including being ‘sent to Kush’ or ‘placed upon wood’ (impaled on a stake)).
- The Tribunal poses its question: An opening question, with limited variation, often not tailored to the particular accused, is asked by the Vizier, with potential follow-up questions from the wider Tribunal.
- The accused answers. Note that beatings do occur if the accused is seen to be uncooperative before, during, and after a testimony, but not in every case. Those who are not beaten may still have been so, but their beating was not recorded in the text.

This chapter aims to address the nature of the Tribunal’s questioning and analyse it in terms of its strategies, aims, and how, in their directness, impolite its members are when asking such questions. The term ‘questioning’ is used loosely here. When analysing the interactions, all speech acts given by the Tribunal to the accused will be looked at in order to assess their effects on the responses given by the accused. By assessing this, a deeper understanding of what the Tribunal were aiming to achieve through asking their questions can be reached, and how their questioning supplies the immediate context for both the explicit content and the implicit inferences to be found in the testimonies of the accused.

## 3.2. Methodology

### 3.2.1. Behaviour in Trial Situations and Historical Impoliteness

This chapter seeks to utilise the work done on the EmodE courtroom by Archer (2005; 2007) on the ways in which the Tribunal and accused behave in context in relation to one another (i.e. question and answer strategies). Its aim will be to evaluate the degree to which Archer's analysis of the EmodE courtroom structure, strategies and rhetoric (Archer, 2005: 59) can be applied to the Egyptian record. From an Egyptological standpoint, Sweeney's (1994 & 2001) work on the pragmatic factors in Late Ramesside letters and dialogue will also be utilised, in terms of identifying question types, and the use of presupposition. However, this is only being utilised loosely, as the aim is to focus on the illocutionary force of the interrogative and direct address, rather than their specific grammar. Ridealgh's (2013a & 2013b) work on impoliteness and Superior/Subordinate relationships in the Late Ramesside Letters will be used to a greater extent in order to ground these theories in the Egyptian record.

Hiltunen's (1996) work on questions in the Salem Witchcraft Trials of 1692 has also inspired the investigation into the Tribunal's illocutionary intent in the TRP. The Salem Witch Trials and the trials in the TRP corpus have notable similarities<sup>51</sup> in structure and in the aims/presuppositions of the Tribunal, so comparisons can be drawn to see how those accused react to their superiors when accused of crimes. Sweeney (2001: 21, 122) also touched upon this aspect when discussing interaction in dialogue, with particular reference to the TRP and legal texts; whereby the speaker utilises an interrogative to exert power over another in certain situations. Archer (2005: 102) states that the roles within the EmodE courtroom are assigned, for example, the roles found within a courtroom are static, meaning that those in the discourse remain in roles that context dictates, and therefore this tailors the course which the conversations will take and perhaps the eventual outcome of the overall testimony.<sup>52</sup> This is perhaps crucial to understanding the way in which these testimonies play out and will be something that will be analysed in this chapter.

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<sup>51</sup> Such similarities include; the presupposition of guilt before evidence is presented, the accusatory questions posed by the Tribunal, the use of coercive methods (i.e. torture) to extract information from accused, short testimonies, examinations following the same format throughout, the lack of any legal defence for the accused, and the absence of a jury.

<sup>52</sup> Discussed further in Section 3.2.4.



### 3.2.2. Subordinate/Superior Interplay

Subordinate/Superior interplay is an important aspect to consider when examining the interactions between Tribunal and accused in discourse. Taking the work of Tannen (1993; 1994), which is further discussed in Chapter Four, and building on it from the point of view of the Tribunal, this chapter aims to explore the reasons why the accused (Subordinates) respond the way they do to their Superiors' questioning. In the simplest terms, the Superior in discourse is usually the one with the higher social standing than that of their Subordinate, for example: a boss speaking to an employee, or a mother speaking to her child, and therefore, they hold the power in conversation, usually because they are perceived to be 'in charge'. In general, Superiors are more 'aggressive'<sup>53</sup> and direct with their Subordinates than Subordinates are with their Superiors, as they are aware that they are in a position of power and can therefore ask more of them than is the norm.

For example: If a Superior wants a Subordinate to do something for them they can say 'Go do this for me.' instead of a politer and indirect 'Can you do this for me, please?' Either option would cause a Subordinate to comply with their Superior's demands, but the former is more 'aggressive' and direct in its demands than the latter, which is indirect and politer. Directness is the form of speech act most often used by a Superior as in a social hierarchy it is often expected that they would take the more direct approach when addressing a Subordinate. Brown & Levinson (1978: 84-85) note that these instances of 'aggressiveness' are not always impolite or 'rude', but do make demands of the Subordinates that they are advised to follow. For example: A mother might say to her child 'Give me the bags.' but because of their close relationship this is not seen as 'aggressive' or 'rude.' However, if the same phrase was uttered by a stranger or an acquaintance, then the directness would be perceived as quite rude. Still, in most cultures, it is more likely that a Superior will use indirectness when speaking to a Subordinate in the workplace, as that is seen as politer and therefore the Subordinate is more likely to perform the task, rather than if the task is demanded of them (Tannen, 1994: 84). This would be so that a Subordinate would not feel threatened when asked to perform a task by a Superior, but still know that they should perform the task asked of them. Nevertheless, this is not the behaviour that is seen in the context of legal

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<sup>53</sup> Insomuch as they are more willing to be upfront about their issues with a subordinate, whereas a subordinate would try to get the superior to see reason through implicature (Thomas, 1995: 124-125).

proceedings, whereby a Superior, in this case the members of the Tribunal, can be as direct, impolite or aggressive towards a Subordinate as they choose, in order to achieve their own aims. Indirectness is not a linguistic tool that would satisfy their aims in discourse.

However, Subordinates use it in order to address their Superiors without overstepping their social boundaries, thus allowing Subordinates to get what they want. Conflict occurs between a Subordinate and Superior when a Subordinate chooses to be direct when addressing their Superior. Kryk-Kastovsky (2006a: 172) and Archer (2006: 181), note that both the Tribunal and accused play larger roles, with the Tribunal having more decisive power, and the accused being allowed to refute the allegations, thus causing a power play between the two. This leads to what is known as ‘conflictive talk’ whereby the discourse leads to situations where conflict occurs between two or more parties (Bousfield, 2008a: 1). This could be by a Subordinate attempting to get a superior to change their mind without seeming to challenge the Superior’s position, thus leading to conflict with the Superior. In order to make the distinction between Subordinate/Superior relationships in a situational context (i.e. a static, unchanging norm, such as the one between Tribunal and accused, whereby the Tribunal holds power), and the subordinate/superior relationship in discourse (i.e. a changing position that is merely temporary, depending who is taking active control of the discourse), the terms ‘subordinate’ and ‘superior’ will be capitalised if referring to ‘situational context’ and lower case when referring to ‘taking active control of the discourse’.

### **3.2.3. Impoliteness and Historical Impoliteness**

#### **3.2.3.1. Impoliteness**

This ‘conflict talk’ is found to play a central role in trial proceedings (Culpeper et al, 2003: 1545) and therefore leads into fertile territory for what is known as ‘impoliteness’. This chapter will use the work of Bousfield (2008a; 2008b), Brown & Levinson ([1978] 1987), Culpeper (2008; 2011) and Culpeper & Kadar (2010), as well as others, to construct a framework of ‘impoliteness’ for the TRP corpus that will assess how impolite the questions and speech acts of the Tribunal are when speaking to the accused.

To understand how the Tribunal are using their questions and speech acts in order to be impolite we must establish the nature of impoliteness. Social norms play a large role in understanding impoliteness as they are effectively the lay-person’s

conceptual understanding of the phenomena surrounding politeness (Bousfield, 2008a: 44), or to put it another way, ‘reflects the historical understanding of politeness generally embraced by the public within the English-speaking world’<sup>54</sup> (Fraser, 1990: 220). Sperber & Wilson’s Relevance Theory (2006) discusses the context of the Speaker providing enough evidence in the discourse for the Hearer to notice what was said either explicitly or by inference. Bousfield (2008a: 31-32) notes that Relevance Theory does not account for the Speaker’s utterance, be it polite or impolite, but instead focuses heavily on the Hearer’s view of the discourse.

Bousfield (2008a) defines impoliteness as the following:

*‘[...] impoliteness constitutes the communication of intentionally gratuitous and conflictive verbal face-threatening acts’<sup>55</sup> (FTAs) which are purposefully delivered: i. unmitigated, in contexts where mitigation is required, and/or, ii. with deliberate aggression, that is, with the face threat exacerbated, ‘boosted’, or maximised in some way to heighten the face damage inflicted.’ (Bousfield, 2008a: 72)*

Holmes, et al (2008) define it further:

*‘[...] verbal impoliteness [is] linguistic behaviour assessed by the hearer as threatening her or his face or social identity, and infringing the norms of appropriate behaviour that prevail in particular context and among particular interlocutors, whether intentionally or not.’ (Holmes et al, 2008: 196)*

From an Egyptological point of view, Ridealgh (2011, 2013a and 2013b) and Sweeney (1994, 1998 & 2001) have investigated the use of politeness within the Late Ramesside Letters and other Late Egyptian material.<sup>56</sup> The analysis of politeness within the Egyptian context is perhaps limited, since we have few texts to analyse, but Ridealgh (2013a & 2013b) and Sweeney (2001) both note that impoliteness occurs most often between Superior and Subordinate when a Subordinate has gone against the wishes of the Superior, i.e. being able to rebuke a Subordinate’s inaction on a task the Superior has requested they do. Ridealgh (2013b: 36) states that the use of impoliteness is dependent on an unbalanced social relationship, that of Superior and Subordinate, thus allowing the former to utilise superior language forms in order to make their point, and

<sup>54</sup> Fraser’s quote is culturally specific. We must bear in mind that what is impolite in the English speaking world, might not be in another culture, and vice versa.

<sup>55</sup> Discussed in more depth in Section 3.2.3.2.

<sup>56</sup> Hereafter referred to as LRL.

is particularly prevalent when there is a bias in the relationship towards the Superior (2013a: 181). This is what we see in the TRP, whereby the Superiors (the Tribunal) utilise language in such a way so as to exert their power over the Subordinates (the accused). Sweeney (1994: 276) and Ridealgh (2013a: 183) argue for expectations of politeness<sup>57</sup> to be deeply embedded in the social practices of the Ancient Egyptians living within the microcosm of the LRL. Since the TRP sit within this microcosm, it could be reasonably expected that interlocutors within them would also abide by these expectations.

Impoliteness can therefore be seen as a negative attitude towards specific behaviours occurring in specific contexts, in this case New Kingdom trials. It is sustained by the expectations, desires and/or beliefs about social organisation, in this case the Tribunal, including, how others mediate one person or a group's social or personal identities in interaction. Situational behaviour is viewed negatively when it conflicts with how a person or group is expected to behave, and/or how one thinks they ought to be. Such behaviours always have, or are presumed to have, emotional consequences for at least one participant in the discourse, that is, that they cause or are presumed to cause offence.

Various factors can contribute to how offensively an impolite behaviour is perceived, including, for example, whether one understands the behaviour to be intentional or otherwise. This is exhibited in the TRP by the nature of the Tribunal's questioning, inasmuch as they place no concern or value on the individual's (accused's) 'face' in their opening question, posed in the same format for almost every individual, for their main task is to extract information about the robberies, with the culpability of the accused a secondary concern.<sup>58</sup> Thus, it becomes as much about how a question is posed by the Tribunal/speaker, as it is about how the linguistic behaviour of the Tribunal is assessed or received by the accused/hearer. It is the 'linguistic behaviour assessed by the hearer' that will be evaluated in this chapter, as it is the aim of this particular research question to understand how the questions or speech acts posed by the Tribunal can threaten/be aggressive towards the accused.

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<sup>57</sup> Sweeney accesses 'politeness' through what she terms as 'courtesy' (2001: 333), referring to individual language preference when constructing letters.

<sup>58</sup> Many accused brought before the Tribunal have little to no involvement in the robberies themselves, thus the Tribunal's main concern is the information with which they can provide, not their guilt.

### **3.2.3.2. Historical Impoliteness and Pragmatics**

Historical impoliteness and pragmatics is a relatively understudied area of linguistics, due to the nature of the data the field deals with (Culpeper & Kadar, 2010: 10; Jacobs & Jucker, 1995: 3; Closs-Traugott, 2006: 538; Taavitsainen & Fitzmaurice, 2007: 13; Archer, 2007: 185). Jucker (2008: 10) notes that the area of study is relatively new, starting only within the last couple of decades, and as such is still developing. Before the mid 1990's, the study of Historical Linguistics and pragmatics was focused on literary texts, and spontaneous spoken data (Jucker, 2008: 895-896). After this point, linguistics and pragmatics diverged into two broader topics, allowing more discussion on a wider range of corpora, and different methodologies to be developed. As Taavitsainen & Fitzmaurice (2007: 15-16) state, the study of pragmatics in history largely depends on the study of linguistics within a specific area of history to have been developed enough.

From an Egyptological viewpoint, Collier (2009) has written on the role of pragmatics within Late Egyptian, and this thesis aims to build on this. Ridealgh (2011, 2013a and 2013b) has also written on pragmatics, specifically Subordinate/Superior relationships, and FTAs, in the LRL, which has proved useful in looking at the language used by Superiors when addressing their Subordinates. Historical impoliteness, much like Historical Pragmatics, is a study of a culture that can no longer be observed practising its linguistics in certain situations, nor can we ask its members why they make these linguistic choices or about the sincerity of the utterances (Archer, 2005: 6; Culpeper & Kadar, 2010: 16; Taavitsainen & Fitzmaurice, 2007: 11; Jucker, 2010: 111-112). With this in mind, we must take care when analysing these discourses so that we do not apply our own modern bias onto the historical linguistic record. Culpeper & Kadar (2010: 13) note that when studying historical impoliteness/pragmatics it is important to take note of the social conventions, context, and ideologies etc. to properly assess what is polite or impolite in that particular period. This applies significantly to the TRP corpus, as we cannot assess trials or legal proceedings from other periods of Egyptian history to determine whether the behaviour displayed here is typical of an Egyptian trial, as we do not have them. This also applies to linguistic frameworks. Culpeper & Kadar (2010:13) note that we must not assume that modern linguistic frameworks can be so easily applied to the historical record and therefore we must make allowances for what the data is telling us rather than to fit it into a framework in which it simply does not belong.

What we can do to address this is look to other texts, such as the LRL or the Late Egyptian Miscellanies<sup>59</sup>, where individuals are recorded speaking or addressing one another to see how the Egyptian record demonstrates social conventions between Superiors and Subordinates when Subordinates obey the wishes of their Superiors, and when they disobey them. Therefore, this thesis will utilise the work done on the LRL by Ridealgh (2011, 2013a, 2013b) and Sweeney (1994, 2001), as well as examples from the LEM to aid in grounding the modern linguistic framework in the Egyptian context.

### 3.2.3.3. Face Threatening Acts (FTAs)

Bousfield's definition of impoliteness (Section 3.2.3.1.) mentions 'Face Threatening Acts' (henceforth known as FTAs) and these are vital to the understanding of impoliteness in discourse. FTAs have had several complex explanations with the clearest being Brown & Levinson's ([1978] 1987):

*'[...] the public self-image that every member wants to claim for himself consisting in two related aspects: a) negative face: the basic claim to...freedom of action and freedom from imposition b) positive face: the positive consistent self-image or 'personality' claimed by interactants, crucially including the desire that this self-image be appreciated and approved of.'* (Brown & Levinson [1978] 1987: 67; cf Terkourafi, 2008: 49)

Hu (1944) and Ho (1976) have both written on how the notion of 'face' is in fact Chinese in origin, rather than a Western concept. However, the modern English linguistic notion of face is derived from Goffman (1967) and from the English folk term, which also has the connotations of being embarrassed or humiliated, or 'losing face' (Brown & Levinson, 1978: 66). Goffman's definition of face is as follows:

*'the positive social value a person effectively claims for himself by the line others assume he has taken during a particular contact. Face is an image of self delineated in terms of approved social attributes.'* (Goffman, 1967: 5; cf Culpeper, 2011:24)

This being said, it means that face is something that a person can lose, maintain, or enhance, and must be constantly monitored in conversation. FTAs occur when one person in the discourse chooses to threaten the 'face' of the other by being impolite i.e. using aggression, humiliation, or threatening behaviour, which often result in the hearer's face being 'attacked'.

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<sup>59</sup> Hereafter referred to as LEM.

Ridealgh (2013b: 28), in her work on ‘Face-Work’ and the social status of the Scribes of the Necropolis, notes that ‘the framework of Politeness Theory’ examines the main expectations in communication and the consequences for the individual if these expectations are not met’ and that while Brown & Levinson argue that the contents of ‘face’ are different in each culture, they do assume that the social necessity to abide by it in action is universal (Brown & Levinson, 1987: 62, cf Ridealgh, 2013b: 28). Indeed, Goffman also states:

*‘when an individual appears before others, he knowingly and unwittingly projects a definition of the situation, of which a conception of himself is an important part.’* (Goffman, 1969: 213, cf Ridealgh, 2013b: 28)

From an Egyptological viewpoint, Neunert (2010: 4-8) notes that public perception ‘plays a decisive role’ in how an individual comports themselves, but also states that the present Egyptological study of perception is based on material objects rather than social interaction. Since we cannot determine every aspect of how ‘face’ might have affected the Egyptians from the texts and artefacts left to us (Neunert, 2010: 2), be it man or woman, low or high social status, we can only work with the ‘social’ aspect of how an individual might wish to be perceived by the wider populace in general, tomb robbery being a serious crime and one many tomb owners sought to avoid through the use of curses, and how they might be affected by a power bias in discourse.

Ridealgh (2013b: 33-34) demonstrates an FTA from Dhutmose to Nesamunope, whereby Dhutmose’s commands reinforce Nesamunope’s failure to comply with the tasks he has been set:

*P.BN 198 III (=LRL no.47), 3-10*

y3 ih p3 mdw m-di=k mtw=k tm sdm mtw=k wsf p3y shn n pr-<sup>c3</sup> <sup>c</sup>.w.s. p3y=k  
nb nfr nty tw=k im hr ir w<sup>c</sup> m-<sup>c</sup> i-ir mr h3 n ht hr ptr ntk i-ir nt<sup>c</sup>=w ir n3 rmt  
nty dy hms ddh imi [...]=w mitt wn bn b3k hr bn b3k n n3 rmt hr dd(=i) n=k i-  
[wd] ns-sbk p3y=k ss imi hnw=f i-r-m iry-<sup>c3</sup> dhwti-ms ss iw=f-n-imn imi in.tw  
n3 it bwpwy(=k) sdm n=i

*‘Furthermore: Indeed! What is the use of speaking to you, if you do not listen, and that you remain idle [in] this commission from Pharaoh, LPH, your good lord, in which you are engaged? Now, a single Ma-tree shall be planted, which could choke a thousand trees, but see*

*it is you who can untangle them. As for the men who are here living confined, give [...] them also. If no work exists, then there is no employment for the men. Now, I told you to dispatch Essobek, your scribe, and to have him go with the Doorkeeper Dhutmose and the Scribe Iufenamun, and have the grain fetched, but you did not listen to me.'* (Ridealgh, 2013b: 33)

Dhutmose's reproach of Nesamunope *ih p3 mdw m-di=k mtw=k tm sdm* 'What is the use of speaking to you, if you do not listen...' is an FTA, through the use of a rhetorical question, on Nesamunope's face, implying that if Nesamunope had done what he was asked in the first place then this letter would not be necessary. This is futhered by another negative reproach *bwpwy(=k) sdm n=i* 'but you did not listen to me', as Nesamunope is now forced to defend his actions or correct them in line with Dhutmose's demands.<sup>60</sup> Dhutmose's clear annoyance with Nesamunope negates the need to use polite language and leaves no doubt that Dhutmose is the Superior of this relationship. Indeed, Ridealgh (2013b: 34) goes on to state that:

*'Dhutmose performs a 'face-threatening' act, a deliberate communicative event to damage the 'face' of the addressee, acting in direct opposition to the recipient's own desires, something that he would not be able to do if the power bias was not in his favour.'*


Sweeney (1998: 103-104) discusses an example of frustration in a letter between a male sender and male recipient, about a woman known to both of them,<sup>61</sup> wherein the sender is frustrated with the recipient for not having sent the oil that was requested:

#### *P.Deir el-Medina VI (rto 3-8 & vso 3-5)*

[*hn<sup>c</sup> dd ...*] *p3y=i h3b n=k m sfr-dd imi in.tw n=i w<sup>c</sup> hnw s[knn] n [t3y]=k irt n wnm ʕkw hr mk sw ii.tw mtw=k tm dit [...]* *wnn m-n m-di=k bw ir=k dit p3y=k hbs mtw=k [dit] in.[t]w p3 h3b=i n=k hr=f wnn t3y=i š<sup>c</sup>t spr r=k iw=k hr dit in p3 sk[nn] i-h3b=i n=k hr=f ptr tw n=k sp sn sp sn m ir dit ʕ<sup>c</sup> p3 rmt i[w]=k [...]*

*ptr st mtw=k tm irt p 3i-ir=k m-dwn sp sn ink i-ir h3b n=k m-dwn iw bwpw=k h3b n=i*

<sup>60</sup> Ridealgh (2013b: 33) also notes that the language is similar in letters between Dhutmose to his son Butehamun, particularly in P.Turin Cat. 2026,rt.12–21, when Butehamun fails to comply with his father's wishes.

<sup>61</sup> The letter is very damaged but the signs  are clear, thus indicating the recipient of the oil is female (Sweeney, 1998: 105; Černý and Gardiner, 1957: pl. 1xxii. 1).



*Furthermore [...] my message to you yesterday, saying, 'Send me a bin of ointment for your (female?) eating companion.' Now look, she/it has arrived and you won't send(?) it. If you have none, you are not in the habit of selling your clothing and sending the thing about which I wrote to you. When my letter reaches you, you shall send the ointment about which I wrote you. Watch it, watch it! Don't make the man wait whilst you [...]*

*...Look after her and don't do what you have usually done! It is I who write to you continually but you never write to me.'* (cf. Sweeney, 1998: 103-104).

Sweeney (1998: 105) notes that the recipient is clearly being admonished for not having looked after the woman, as well as for not providing the oil that was requested, which may indicate that the family are unhappy with the treatment of the recipient's treatment of this woman, thus enacting an FTA on the recipient for 'poor behaviour'. Sweeney (1998: 106) suggests that the woman in the letter might be the wife of the recipient, who has run away due to ill treatment, and the sender is now looking after her and is reprimanding the recipient for not treating his wife better. If this is so, then it is a clear FTA on the behalf of the sender against the recipient; ordering the recipient to treat the woman better and change his ways if he wants his wife to return to him. The power balance in this situation is hard to read since we do not know the relationship between sender and recipient, but it is evident that, providing the situation Sweeney suggests is accurate, the sender believes he has the power to shame the recipient into behaving correctly through this deliberate communicative event to damage his 'face', and if the recipient wishes to save 'face' then he would do well to comply.

In terms of the TRP, this 'deliberate communicative event to damage 'face'' would apply to the Tribunals information eliciting speech acts towards the accused, whereby they are acting in direct opposition to the accused's own desires i.e. to be found innocent of the crimes.

Watts suggests that:

*'[a] theory of (im)polite behaviour needs to take the perspectives of the speakers and the hearers adequately into consideration, firstly, because speakers are also hearers, and vice versa, and secondly, because social interaction is negotiated.'* (Watts, 2003: 23).

It is precisely this focus on the hearer in the discourse, rather than the impact of the speech of the speaker, from which this chapter is aiming to move away.

## Enacting FTAs

A person can enact an FTA in two ways: on record or off record. On record allows the speaker to make it clear to the participants what the communicative intention of his actions is (Brown & Levinson, 1978: 73) i.e. there is an unambiguous attributable action that the hearer would concur with. For instance, in P.BM EA 10403 the Tribunal statement to Townswoman Taaper does not hide exactly what it is that they wish to find out from her, namely the copper she has spoken of previously:

### *Ex.1: P.BM EA 10403 3, 2-5*

*dd.tw n=s i-dd my p3 shr p3y hmt i-dd(=t) wn=f m-di ihwty p3-h3-rw s3 pš-nmh  
iw=f šd gs m-im=f iw=s irt šwt i-hnw(=t) r p3 pr 3tw imn-hw iw=t dd=f n=f*

*'She was asked, "Come tell the story of this piece of copper which (you) said was in the possession of the Fieldworker Peikharu son of Peshnemeḥ and he cut off half of it and traded <it> and about which <you> went to the house of the District Officer Amenkḥau and told him about it."*

Contextually, they are still impolite as they do not ask her a question but make a demand of her ('Come tell the story...') through the use of the imperative *i-dd*, so that she is aware exactly what they want to know from her. Therefore, she also knows that they are not going to give her a choice about whether she can deny this, as they have already mentioned what they are basing this questioning on, i.e. her previous testimony.

In the example above the Tribunal makes use of an imperative in their questioning, which is, in a typical trial situation, considered impolite and therefore a contextual norm. Culpeper (2011: 254) argues that impoliteness in a courtroom context is standard and therefore cannot be considered impolite. Yet this impoliteness still occurs in the TRP and is worth investigating for its possible impact on the intended recipient. It is worth stating that the imperative being used in an impolite manner occurs outside the TRP and trial context, and should be noted that the imperative is not always used impolitely in discourse. As mentioned in section 3.2.2., inferring impoliteness from a speech act depends on the discourse participants and their relative status. An imperative used by a mother speaking to her child, 'Go take the bins out', may warrant an unfavourable reaction but would not be considered impolite. However, the same imperative demand made to someone of lesser acquaintance would be considered rude. The majority of imperatives used within the TRP would be considered impolite, as even though it is the norm for the imperative to be used we cannot dismiss

the effect it would have on the hearer should one be directed at them. Here we have an example from P.Bologna 1094 where a teacher writes a letter to an ‘unteachable’ pupil:

*P.Bologna 1094 3, 5-10*

*sš m-ḥ n p3 ḥpš n pr-ʿ3 ʿ.w.s. dd n sš p3-whm r-nty in.tw n=k sš pn n dd ḥnʿ dd  
r-nty m ir s iwtṯ ḥ3ty=f iw bn n=f sb3y(t) ir sdr.tw iw.tw ḥr mtr=k wrš.tw iw.tw  
ḥr sb3=k iw bw sdm=k mtr nb iw i-ir=k p3y=k šḥr p3 kry ḥr sdm mdt in.tw=f ḥr  
kš tw.tw ḥr irt sb3yt n m3i tw.tw ḥr k-ḥ ssmt ḥrw-r=k bw rh.tw ki=k m-hnw t3-  
tmm ih rh=k sw*

*Mahu, Scribe of the Armoury of Pharaoh I.p.h. speaks to the Scribe Pewehem. This letter is brought to you to the following effect: Do not be a senseless man who has no education. One spends the whole night teaching you and passes the whole day instructing you, without your listening to any teaching, but you act after your own fashion. The ape understands words, and it is brought to you from Kush. Lions are trained and Horses tamed: but as for you, one does not discern the like of you within all mankind. Take note of this. (Caminos, 1954: 13)*

Mahu is very clearly impolite towards his pupil Pewehem. His use of the negative imperative *m ir s* ‘Do not be a senseless man...’ (Černý & Groll, 1993: 357) is a direct FTA on the face of Pewehem as it advises Pewehem to correct his behaviour and become a better student. This is furthered by Mahu’s comparing of Pewehem to various animals, whom he claims are easier to handle than his errant pupil. This example demonstrates that the negative imperative was utilised by the Egyptians as a means of expressing impolite speech when wishing to attack or insult another discourse participant, and is a good example of an ‘on record’ FTA since Mahu does not hide what it is he is angry about.

An ‘off record’ FTA, on the other hand, allows the speaker to bring inference into the discourse that does not give the hearer a clear idea of the intentions of the speaker and therefore they cannot concur. Brown & Levinson (1978: 74) give the following example of off record speech, ‘Damn, I’m out of cash. I forgot to go to the Bank today.’ the speaker here could be intending to get the hearer to lend them some money. However, the speaker cannot be held to have committed himself to this intent as the hearer may not pick up the inference (or the hearer may pick it up, but not wish to acquiesce) or that the speaker may not intend this inference to be taken. An Egyptian example of this can be seen in P.Abbott. Here the Tribunal have blindfolded and brought the accused before the tombs that have been broken into in order for him to

point out to them which one he was in, as previously (Year 14) he had confessed to being in the tomb of Queen Iset:

*Ex.2: P.Abbott 5, 2*

*i-šm r ḥ3t=n r p3 ḥr i-dd=k in=i n3 3ḥt im=f*

*‘Go before us to the tomb from which you say, “I have brought the things from it.”’*

The accused, Coppersmith Pakharu, is only able to show them an open tomb in which no burial had ever taken place, and a workman’s hut. The inference, therefore, is the Tribunal asking the accused to prove that he was in the tombs, as they suspect he was not and is lying to them. The accused seems to be aware of this inference but is caught out as he shows them a tomb that has not been broken into and therefore proves himself to have lied.

### 3.2.3.4. Contextual Norms

When assessing any situation, it is important to take into account the contextual norms that go alongside the situation. In this context, we are dealing with the contextual norms of a trial where, as a situational norm, impoliteness is standard. When looking at contextual norms, how Tribunal and accused interact during proceedings for instance, it is also important to look at the linguistic norms in order to assess the discourse that takes place (Culpeper, 2008: 30; Levinson, 1992: 97). In the LRL, Ridealgh (2013b:34-35) notes that it is a linguistic norm for two people to use politeness when writing to one another. For example, in this letter between Dhutmose (Tjaroj) and Butehamun, Dhutmose reassures Butehamun that people he knows are doing well in his absence:

*P.BM EA 10411, 9-12*

*sš mniw-nfr sš imn-ḥtp t3y-ndmy šd-st-mwt m šs mn (m)-di=w bt3 šd-m-dw3t ḥm(t)-šri(t) t3y=s ʿdd šri m šs mn (m)-di=w m dy ḥ3ty=k m-s3=w*

*‘The Scribe Meniufe, the Scribe Amenhotep, Taynodjem, and Shedsumut are well; no harm has come (to) them. Shed(em)dua, Hemesbire, and her little daughter are well; no harm has come (to) them. Don’t worry about them.’ (Janssen, 1991:12)*

This interaction between Father and Son is considered polite, as Dhutmose is allaying his son’s worries by writing to him with news of those he is concerned about. Contrast this with another interaction between the two:

*hr m-di t3 mdt n t3 kdt 2 n nbw i-dd[=i n=k] [i]mi st r p3 pit iw=k tm dit=w im  
y3 tw=i iy.tw r [... iw] ]=i tm gm=w bn nfr p3y i-ir=k*

*'Now, regarding the matter of the 2 qd.t of gold, which I told you to put it in the base, you failed to put them there. Indeed, I have returned to [...] but I have not found them. This which you have done is not good.'* (Wente, 1990: 8, cf Ridealgh, 2013b: 33)

Here, as with the LRL example in the previous section, Dhutmose is reprimanding Butehamun for not having done what he has been asked to do. The language used here, a second tense construction, is stern, and leaves no doubt that Dhutmose is annoyed with Butehamun for not having done what was asked as the construction emphasises the lack of action on Butehamun's part, thus marking this interaction as impolite. In both the examples above, we look at impoliteness between Superior and Subordinate from the speech act made by the Superior, as this is where impoliteness typically occurs. However, setting aside contextual norms, what is also apparent in the TRP is that the accused are able to a) respond to the accusations, and b) in some responses impoliteness occurs.

In the modern courtroom, it is a linguistic norm to have impolite language used in the discourse, as it is the most effective when accusing or defending someone of/from a crime. Culpeper (2011: 254) suggests that during the trial the Tribunal's speech to the accused cannot be considered impolite because it is within the norm of the constraints of the context and does not allow the accused to answer back. While this is true of the modern courtroom, and to some extent the EmodE courtroom, it does not hold true for New Kingdom proceedings. As with the testimonies found in the Salem Witch Trials, the testimonies in the TRP do allow the accused to answer back directly to the Tribunal,<sup>62</sup> and defend themselves from the questioning sometimes with impoliteness.

Without impoliteness in the discourse on both sides, there would not be the accusations or the defence that exists in context, and therefore one must accept that impoliteness on behalf of the Tribunal is not unusual at all in legal proceedings, but impoliteness on behalf of the accused is not the norm.

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<sup>62</sup> For there are no lawyers or juries to interact with.

### 3.2.3.5. Threatening Behaviour

Threatening or aggressive behaviour is one of the key points of impoliteness and is used by those in a Superior position to assert their power over a subordinate. It is this threatening and aggressive behaviour mentioned by both Bousfield and Holmes et al<sup>63</sup> which shall be discussed here.

Culpeper notes (1996: 358) that threatening or frightening an individual can be used to instil a belief in them that action detrimental to themselves will occur should they not cooperate in discourse or by their actions. This is very much the function of the Tribunal in the recorded discourse of the TRP, and most evident with the oath the accused take at the beginning of their testimonies:

#### *Ex.3: P.BM EA 10052 3, 22-23*

*iry=fʿnh-n-nb ʿnh wd3 snb r-dd mtw=i dd ʿd3 iw=f<sup>64</sup> hšb dd kš<sup>65</sup>*

*'He took an oath of the lord l.p.b saying, "If I speak falsely" he would be mutilated and sent to Kush.'*

This oath is a standardised oath represented in writing in the TRP in variant forms. The key component represented is the threat to the accused, which the accused is forced to accept before the Tribunal, stating harm will come to them if they do not cooperate with the questioning. By doing this, the Tribunal seek to intimidate the accused into answering their questions truthfully or at least admitting to being involved in the robberies. The combination of the threat of questioning and the threat of physical violence if they do not cooperate with the Tribunal is, in most cases, enough to get the accused to comply. The use of such threats within the oath uttered at the start of each interrogation, be it explicit or implicit, is key to understanding how and why the accused respond in the discourse. It can be assumed that the accused would fear the beating that would come should they fail to provide the information sought, and, indeed, we see the evidence of beatings in the texts themselves when those accused fail to comply with the Tribunal's demands.

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<sup>63</sup> Section 3.2.3.1. of this chapter.

<sup>64</sup> There is a standard switch between 1<sup>st</sup> and 3<sup>rd</sup> person pronouns here, even though it refers to the same person.

<sup>65</sup> Conjunctive + Oath Formula. See also Černý & Groll 1993: 439.

### 3.2.3.6. Power in Situation

As mentioned in Chapter Two, the members of the Tribunal hold some of the highest offices in Ancient Egypt, in particular the Vizier who is second only to the Pharaoh, thus meaning that the accused of the TRP are facing trials presided over some of the most powerful men in the country. Due to this fact, it could be said that the accused, who largely consist of lesser members of society such as Fieldworkers or Servants, might feel more intimidated by the perceived ‘power’ of the Tribunal than they would if the Trial was being conducted by local officials.

Power is often expressed through language and this is vital to understanding the discourse in the TRP corpus. In context, the Tribunal express their power in two distinct ways: through their questioning, and through beatings administered to those accused for noncompliance. As this thesis focuses on the questions and answers in the TRP, this section will be discussing the infliction of power of the Tribunal through the linguistic dimension, rather than the physical one. Culpeper (2008: 36) suggests that the way in which this is done is to attack the face of the hearer, in this case the accused, by causing conflict. This being so, it allows the Tribunal to be impolite in order to pressure the accused into a reaction, be it hostile or non-hostile.

Here the Tribunal have been interrogating Servant Sekhahatyamun about his involvement with Efnamun and Ihymeh in the robberies, and Sekhahatyamun has admitted to having seen the two arguing about the silver they had stolen:

#### *Ex.4: P.BM EA 10052 8, 11-13*

*dd n=f sš dhwtj-ms iw mntk ʿ3-n-wd3 n n3 rmt [ih p3]y=k ʿhʿ r-k-r-n=w iw=w  
sdd iw bw ir=w dit n=k dnyt*

*dd=f bpy=w dit n=i dnyt iw=w m-di=i n ih*

*ir smtr=f m b-d-n n3 d-n-d-n p3 m-n-n*

*Now Scribe Thutmose said to him, “Since you are the Storehouse keeper of the men, how is it that you were standing by them if you were not getting a share?”*

*He said, “They did not give to me a share. Why should they be in my debt?”*

*He was examined with the stick, the birch and the screw.’*

The Tribunal appears to seize on the opportunity to push Sekhahatyamun for more information, or at least accuse him of further involvement, by directly attacking the fact that he is the Storehouse keeper of the robbers. They seem to suggest, utilising a participial statement to emphasise the pronoun *mntk*, and Sekhahatyamun's title, that Sekhahatyamun must have been involved because he knew the men and because he was nearby when the two men were arguing. The Tribunal's phrasing and word choice here is directly accusatory ('Since ***you*** are the Storehousekeeper'), and are using their knowledge gained from the context to attack the face of Sekhahatyamun. Sekhahatyamun is also listed as a Servant,<sup>66</sup> meaning his social status is far lower than that of the Tribunal so the power exerted by the Tribunal is greater due to this difference in status.

Watts sums up this power balance thus:

*'A exercises power over B when A affects B in a manner contrary to B's perceived interests, regardless of whether [or not] B later comes to accept the desirability of A's actions.'* (Watts, 1991: 61, cf Bousfield, 2008b: 139)

This is precisely what is happening in Ex.2 whereby the Tribunal is exercising its power over Sekhahatyamun to gain more knowledge about the crimes, which is contrary to his own interests of being found innocent of the thefts. In context, Sekhahatyamun does relent and tell the Tribunal more about how he came to be involved in the robberies and how he came to receive silver that he terms as 'bad'<sup>67</sup> What can be seen from this example, is that it is clear that the Tribunal's use of power and impoliteness is effective when they wish to extract further information from the accused.

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<sup>66</sup> The term Servant here may not reflect the actual job title of Sekhahatyamun, which is evidently 'Storekeeper'. Meskell notes (1992: 235) that the term 'Servant' is often used in legal texts to refer to an accused's 'humility' before the court, and is not a sign of their social status (Černý, 1973: 180).

<sup>67</sup> What Sekhahatyamun says is *iw=i gm=w iw=w bin iw=i šm r h3<sup>c</sup>=w n=f* "But I found they were bad and I went to return them to him." In this context "*bin*", while translated as "bad", idiomatically means that the silver was stolen as it was not procured by legal means.



### 3.2.4. Assigned Roles

The final point to make before moving onto analysing the primary evidence is that of assigned roles. Unlike the EmodE courtrooms investigated by Archer (2006), New Kingdom trials do not have witnesses,<sup>68</sup> nor do they have juries to deliberate the fate of the accused. This limits the pool of question data to just that of the Tribunal, and occasionally that of the accused. In some ways, this is very much like the proceedings of the Salem Witchcraft Trials assessed by Hiltunen (1996) as in both cases there are only two sets of people to draw data from: The Tribunal/Judges and the accused. This is where the nature of the assigned roles comes in. When the Tribunal and the accused are interacting with one another the roles they are playing are those that are appropriate in the context. What is being investigated through the course of this chapter, and in the thesis overall, is how these roles are used to the advantage of either party in order to get the information that they want. In some cases, there appears to be some disconnect between the roles of Tribunal and accused, as it appears that sometimes the accused does not respond to the Tribunal with due deference i.e. someone of low social status does not respect the person of higher status who is in a position of power. In the case of this chapter, the role of the Tribunal in extracting the information through leading questions that presuppose guilt and, to a lesser extent, the rhetorical questions of the accused will be analysed to assess their roles in the overall discourse.

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<sup>68</sup> People are called to testify against others in the TRP, but they are always other accused who have given testimony previously. They are not, as would be expected in the modern context, bystanders who have witnessed but committed no crime. Since the accused cannot call upon witnesses in their own defence, though they can state names of people that the Tribunal may or may not be interested in bringing for interrogation, it would seem unwise to state that those accused brought by the Tribunal to testify against their fellow accused are 'witnesses' to a crime they themselves were involved in.

### 3.3. Questions and Speech Acts of the Tribunal

When reference is made to the Tribunal's 'questioning' it is important to note that this also includes speech acts or demands made by the Tribunal, as these still influence the answers given by the accused. In this section, the questions, speech acts, and ways in which questions are asked will all be looked at in order to assess how these influence the types of denial responses that will be shown in Chapter Four.

#### 3.3.1. What Sort of Questions or Speech Acts Do They Make?

By cataloguing and assessing the data set, four different question or speech act types have been identified:

- Wh-interrogatives<sup>69</sup> of the type *ih p3 shr* 'What is the story...?' and *ih hr=k* 'What have you to say?' questions (ranging from broad to narrow depending on the context i.e. initial question or follow up).<sup>70</sup> Also wh-interrogatives that utilise *ih* (such as 'What sort of load is it...?') and wh-interrogatives with other wh-words such as the *m-it* question in P.BM EA 10052 (13.7), and the *nym nym* question in P.BM EA 10052 (14.14).<sup>71</sup>
- Direct address imperatives, particularly for demanding names, but also for demanding an account of what happened. The direct address can also be used for instructions to the court (rather than the accused) such as P.BM EA 10052 (10.16) '*have the slave brought in*' or the '*take her away*' imperative (15.8)<sup>72</sup>
- Statements (assertions) used for resuming facts/narratives, either from background facts about those accused, linking to earlier parts of a testimony or court proceedings, or for asserting different versions of

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<sup>69</sup> Questions that begin with a 'Wh-' word like 'What' or 'Who' (in Egyptian denoted by *ih*).

<sup>70</sup> **P.BM EA 10052:** 4.6-8, 4.16, 5.5-7, 7.10-11, 8.3-4, 8.11-12, 8.18, 8.26, 9.2-3, 10.3, 10.13, 10.14-15, 10.17, 11.2, 11.5, 11.5-6, 11.7, 11.10-11, 11.15, 11.18, 11.20-21, 12.25-26, 13.2-3, 13.9, 13.11, 13.15-16, 13.23, 14.2-3, 14.12-23, 15.1-2, 15.5-6, 15.20, 16.9. **P.Mayer A:** 1.9-10, 1.14, 1.22-23, 2.2-3, 3.3-4, 3.20-22, 3.23, 4.16-17, 4.18-19, 5.10-11, 6.14-15, 7.1-2, 8.20, 9.1, 9.6, 9.10, 9.11, 9.13, 9.15, 9.16, 9.22, 10.2-3, 10.10, 10.18-19, 10.25. **P.BM EA 10053 (v):** 2.15, 4.5.

<sup>71</sup> **P.BM EA 10052:** 5.9-10, 13.7, 14.14. **P.Mayer A:** 6.17-18, 8.23-24.

<sup>72</sup> **P.BM EA 10052:** 1.6-8, 1.14, 1.16, 1.17, 3.1, 3.23-24, 4.2, 4.3, 5.11, 5.18, 7.6, 7.15, 12.14, 14.18, 15.8-9. **P.Mayer A:** 2.11, 2.18, 4.2, 4.4, 5.3, 8.11-13, 8.17-18, 10.7. **P.BM EA 10403:** 1.4-6, 3.2-5, 3.11-13, 3.17-18, 3.25-28. **P.BM EA 10053 (v):** 2.9-11, 3.6. **P.Leopold II Amherst:** 1.12-14.

events from those accused (including in one case in P.BM EA 10052 (1.19-20) that is an analogy).<sup>73</sup>

- Polar Interrogatives (yes/no): Used once to check on whether the accused actually went into tombs (presumably the damaged testimony before had not included that particular detail).<sup>74</sup>

The Tribunal only make a limited range of interventions (the 4 categories above) mostly organised around enticing answers/responses from the accused by questioning for information, demanding, resuming facts, or asserting different versions of events.

These demands or speech acts can range from elaborate examples:

*Ex.5: P.BM EA 10052 5, 5-7*

*i-dd n=i p3 shr n šm i-ir=tn i-r-m n3 iry twt r ph n3 swt ʿ3yt iw=tn in p3y ḥd im  
r-bl iw=tn irt h3w=f*

*‘Tell me the story of your going with your companions to reach the great places when you brought the silver away from there and you distributed it.’*

To the most succinct:

*Ex.6: P.Mayer A 9, 10*

*ih h(r)=k*

*‘What have you to say?’*

In general, these ‘questions’ are being used as prompters for certain types of information so that the Tribunal can tailor specific questions they ask later to elicit a more detailed response from the accused on an exact topic (Shuy, 1995: 208).<sup>75</sup> Archer notes (2006: 195) that the Judges in EmodE courtrooms use questions to either prompt or lead the accused to provide the answer they are looking for. This is precisely what is happening when the Tribunal ask the accused questions in the TRP. For example:

<sup>73</sup> **P.BM EA 10052:** 1.19-20, 3.18-19, 4.23-24, 5.14-15, 5.21-22, 8.11-12, 8.21-22, 10.16, 16.10. **P.Mayer A:** 3.25, 5.17-18, 8.3-6, 10.23-24. **P.BM EA 10403:** 1.4-6, 3.25-28.

<sup>74</sup> **P.BM EA 10052:** 14.16, 15.11.

<sup>75</sup> This will be elaborated on in further sections of this chapter.

*Ex.7: P.BM EA 10052 7, 10-11*

*dd.tw n=f ih h(r)=k t3 mdt n n3 swt i-ph=k i-r-m n3 rmt i-di iw=f-n-imn wn m  
hry-pdt hn=w iw ihy-mh p3y=f sn r-h3t=w*

*‘He was asked, “What is it you have to say about the issue of the tombs that you reached with the men, whom Efnamun, who was Troop Captain, sent with Ihymeh, his brother, leading them?”’*

It can be seen quite clearly how the Tribunal is prompting Warehouseman Efenmontu to respond. This presumptive question is implying that the Tribunal already have a good view of the events, and can use and deploy facts and persons, from those events that Efnamun was involved in. They are leading Efenmontu into confirming this view, and if possible, into adding more information to the overall core narrative of events of this robbery. More on the construction of core narrative will be discussed in section 3.5.1 of this chapter. The question, in this instance, can also be said to be ‘framed’ i.e. phrased in such a way to elicit the exact response required. These types of questions also exist in the Salem Witchcraft Trials, wherein Hiltunen (1996: 24) suggests that the purpose of such questions is information seeking to build up a case against the accused. It also allows the Tribunal to presuppose that the accused is guilty and therefore tailor their interrogation accordingly.

### **3.3.2. Standardised, Tailored, or Actual Written Speech?**

Before moving into the main body of the chapter, a brief reminder is needed of the degree to which the surviving records provide us with direct quotations of the Tribunal (or the accused) and the degree to which the scribe recording these trials has edited or condensed the text as he was writing. As already discussed at length in Chapter One (Section 1.4), Hiltunen (1996: 21) refers to this possible interference when discussing the transcripts of the Salem Witchcraft Trials, as he suggests that there will always be some instances where speech will be paraphrased because the accused or Tribunal/Judge spoke too fast meaning there was not enough time to write it all down. P.BM EA 10052 shows clear evidence in the representation of the Tribunal questions towards a more condensed format as the document progresses, particularly in the shorter testimonies towards the end of the document, where there are a number of instances where no question from the Tribunal is recorded or lines left blank for further recording of a testimony, which would indicate some form of editing.

However, Hiltunen (1996: 21) notes that the important parts of the speech will always be written down, and this would seem to hold true for the TRP. Culpeper & Kytö (2000: 59) also note that any transcription is likely to be an interpretation of the primary data by the scribe so therefore we must take this into account. The TRP corpus shows evidence of both the fully transcribed version of a question (Ex.3) and a scribal-edited version (Ex.4). With these questions, as with the denial examples that will be shown in Chapter Four, there seems to be a correlation between the amount of editing a question receives and where the question appears in the text. It would seem that the earlier in the text the question appears, the less edited it is as the Tribunal are dealing with those who they believe are the ones directly responsible.

In both P.BM EA 10052 and P.Mayer A, the two longest texts containing examinations in the corpus, the longest questions and testimonies, come at the beginning of the texts. The further one progresses into each text, the shorter the testimonies and examinations become. One hypothesis for this could be that those about whom the Tribunal have the most information, through torture or other means<sup>76</sup> or indeed suspect to be the most likely culprits, are brought first so as to gain information about the robberies from those they seem to believe most likely to provide it. Those testimonies that come later are usually of those who have minor social or familial relationships with others who have been accused,<sup>77</sup> and are almost always shorter than their earlier counterparts, with the accused using denial phrases as their answers, and the Tribunal's questions being truncated (Ex.4) or narrow wh-interrogatives, which force the accused to answer on a specific subject.<sup>78</sup>

### **3.4. Presupposition of Guilt**

Something to bear in mind when analysing these questions and interactions is the notion of presupposed guilt. Presupposition allows the Tribunal to retain the power in the situation. By using presupposition, it permits them to imply or infer things about the accused that would be considered very impolite in any other situation (Culpeper, 2008: 37). This is not unusual for legal proceedings, where impoliteness and

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<sup>76</sup> Testimonies of others from previous examinations would form part of the Tribunal's core knowledge base, and it is possible that they would wish to bring those they had most information about before them first.

<sup>77</sup> Such as the testimony of Townswoman Mutemhab P.BM EA 10052 15.4-9, wherein she is brought on account of her husband Ramose.

<sup>78</sup> Discussed further in sections 3.5.2 & 3.5.3 of this chapter.

presupposition are considered a social norm for the discourse. However, this does not mean that their impact should not be assessed.

Presupposition is informally defined as the difference between inference or proposition where the truth is taken for granted in the sentence (Huang, 2007: 65; Atlas, 2006: 33) and the main function of this ‘truth’ is to act as a precondition of the same sort for the appropriate use of the particular sentence it is in. For example, Huang (2007: 65-66) defines 8 different types of presupposition<sup>79</sup> with these 4 being relevant to this study:

1. Definite Descriptions:

*The King of France* is/isn’t bald

>> There is a King of France

2. Implicative Predicates:

John *managed*/didn’t *manage* to give up smoking

>> John tried to give up smoking

3. Temporal Clauses:

After she shot to fame in a romance film, Jane *married*/didn’t *marry* a millionaire entrepreneur

>> Jane shot to stardom in a romance film

4. Cleft Sentences

- a. Cleft

It was/wasn’t Baird who invented television

>> Someone invented television

- b. Pseudo Cleft

What Baird invented/didn’t invent was television

>> Baird invented something

Points 1 and 2 are lexical triggers, meaning that a certain word or phrase in the sentence triggers the presupposition. Points 3 and 4, on the other hand, are triggered by their construction/structure meaning that it is either the time frame or the grammatical construction that gives meaning to the sentence.

Presupposition can also occur in FTAs. Brown & Levinson define presupposition in FTAs as ‘...something is *not* really mutually assumed to be the case,

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<sup>79</sup> Huang denotes the presupposed notion with >> and the lexical presupposition is italicised (Huang, 2007: 65)

but S speaks as *if* it were mutually assumed...' (Brown & Levinson, 1978: 127). Presupposition, therefore, can have multiple meanings (both positive and negative in terms of H's face) such as the presupposition of H's wants, or to presuppose that H's values are the same as S's values. The aspect of presupposition that is vital to understanding FTAs in the Tribunal's questioning of the accused is when presupposition is used by the Tribunal to presuppose the knowledge of the accused. This type of presupposition allows the Tribunal to assert this presumed knowledge to the accused in order to get them to answer their questions.

As discussed in section 3.3.1. of this chapter, the Tribunal use prompting questions, or framed questions/interactions, in order to get the precise information from the accused. These questions often presuppose that the accused knows the information that they seek, and therefore in turn presupposes the accused is guilty also. In the EmodE courtroom, Archer notes that there is a 'Guilty until proven innocent' or 'guilty but unwilling to confess' mentality of the Judges (2002:1; 2005: 85) and Hiltunen (1996: 24) notes that it occurs as part of the Tribunal's manner in the Salem Witch Trials. This, as Kahlas-Tarkka & Rissanen (2007: 4) note on Archer's (2002) discussion of Salem's magistrates, makes the tone of the Tribunal more controlling and accusatory, and we see similar instances in the TRP.

The same occurs when looking at the questions asked of the accused in the Salem Witch Trials. For example, one such question is *'You are here accused for practicing witchcraft upon Goody Ballard w'ch way doe you doe it?'* (Hiltunen, 1996: 24). It is evident that there is a negative presupposition about the accused in the phrasing of the question;<sup>80</sup> the Tribunal already expect them to be guilty, and hope to extract a confession of guilt quickly. With this in mind, it is apparent that the accused in the TRP are already seen as guilty in the minds of the Tribunal. This, in turn, makes the Tribunal seem more aggressive in their tactics. One might assume that this forces the accused into emphasising their innocence, if indeed they are not guilty, by perhaps revealing more than they would have about the robberies than if they had simply been asked, 'Do you know anything about the robberies?' It is therefore the priority of the accused to fight this presupposition, often using the denial tactics seen in Chapter Four.

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<sup>80</sup> Hiltunen (1996: 24) notes that of the twenty-six cases he examined, six begin with a question based upon negative presupposition against the defendant.

In the testimony of Fisherman Panakhtenipet the Tribunal presupposes that Panakhtenipet is responsible for ferrying the thieves across the Nile to rob the tombs. From the context, we know that Panakhtenipet does not reject this presupposition, as he is willing to confess to it readily. However, there is another level of presupposition besides the simple ferrying the thieves across the Nile, and that is of Panakhtenipet's involvement in the robberies themselves:

*Ex.8: P.BM EA 10052 14, 12-13*

*dd.tw n=f ih p3 shr šm i-ir=k ph n3 swt ʿ3yt i-r-m n3 it3 wn=k i-r-m=w iw=k  
[m]-di=w mhnty (m) mhnwty*

*They said to him “What is the story of your going and reaching the Great Places with the thieves who you were with while you were with them as ferryman?”*

The inference in the question from the Tribunal is that because Panakhtenipet ferried the thieves, he must also have helped in the robberies. An FTA on the integrity of the accused, when they themselves believe that there is nothing that they have done wrong, will more than likely produce a strong reaction. In this case, Panakhtenipet accepts that he was the one who ferried the thieves across the Nile, but when he is questioned further by the Tribunal about the things he saw them with, thus implying that he knew what they were doing, he strongly denies ever having seen what they were carrying. Consequently, this reduces his role back to one he is willing to accept, i.e. that of ferrying them over.

Another tactic in which presupposition is used in FTAs in the TRP is demonstrated when the Tribunal presume the accused they are interrogating has knowledge or is guilty on behalf of another. The Tribunal in this example presuppose that Wab Priest Nesamun son of Paybaki knows about his father's involvement in the robberies:

*Ex.9: P.Mayer A 2, 11*

*dd.ti n=f i-dd p3 shr šm i-ir p3y=k it i-r-m n3 rmt wn i-r-m=f*

*He was asked, “Tell the story of your father's going with the men who were with him.”*

They are already aware that Nesamun has no involvement himself, so being brought before the Tribunal when he is innocent of the crimes is damaging to the ‘face’ of Nesamun. Nesamun can be presumed to want to maintain his face, i.e. showing he



has nothing to hide, thus providing them with the information they need. It is clear from the context that Nesamun's father has died since he committed the robberies and that this is why Nesamun has been brought i.e. they believe him to have seen something and can no longer ask his father. However, it would appear that Nesamun believes has been brought before them unnecessarily as he explains to the Tribunal:

*Ex.10: P.Mayer A 2, 12-15*

*dd=f wn p3y=i it im n m3t iw=i m dd šri bw rh=i p3 shr n i-ir=f sw smtr dd=f  
ptr=i k3wtyw h3wty-nfr iw=f n hnw m t3y st nty p3y pr-n-st3 im i-r-m mniw nfr  
s3 hpy-wr hmw wn-m-di-hwy s3 h3wty dmd 3 ntw n3 ptr=i k3 inn nw.tw nbw  
ntw n3 nty rh nty*

*‘He said, “My father was there, it’s true, when I was a little child. I do not know the story of what he did.” He was examined (again) “I saw the workman Abautynefer inside, in this place where the portable shrine was along with Herdsman Nefer son of Hapiwer, Artisan Wenemdibuy son of Abauty. Total 3. These are the ones I saw exactly. If gold was concerned, they are the ones who know.”’*

This line of questioning is damaging for Nesamun, as it is clear he was not involved at all, but as a result of his father's actions he is now being brought before a Tribunal to answer for those crimes, thus negatively affecting his ‘face’ by association with the investigation.

Another example of this type of presupposition in FTAs occurs in P.Mayer A where, once again, an accused has been brought before the Tribunal because of the actions of his father. The Tribunal presuppose that because he is the son of a thief, Weaver Wennakht will know all about the robberies his father took part in:

*Ex.11: P.Mayer A 2, 18-19*

*dd.ti n=f i-dd my p3 shr sm i-ir p3y=k it iw=f irt h3w m p3y pr-n-st3 i-r-m n3y=f  
irw*

*‘He was asked, “Tell the story of your father’s going when he did violence in the portable shrine with his companions.”’*

Again, this affects the accused's ‘face’ negatively as Wennakht has been brought before the Tribunal on account of a crime he has not committed. Just as with Nesamun, this would be something Wennakht would seek to combat in his reply. Indeed, he does

this as he is forced to point out to the Tribunal that his father died when he was a child and therefore he does not know what happened to it, but his mother might since she had spoken about it in the past.

### 3.5. What do They Hope to Gain from These Questions?

Understanding the motive of the Tribunal for asking these questions, and what their end goal was for the information they wished to gain, is key to understanding why those accused answer in the way that they do. One cannot exist without the other.

#### 3.5.1. Build-Up of Core Narrative

The Tribunal's ability to understand, confirm, and elicit additional information about the core narrative of the events surrounding the robberies of the tombs themselves, is vital to being able to understand why they ask the types of questions that they do. One of the main types of questions that they ask is how each robber was involved in the robberies and who was with them. As presented in the texts, this allows the Tribunal to confirm, understand better, or get additions to or get what they see as contradictions to the core narrative. Archer (2005: 83) notes that testimonies of the accused in EmodE courtrooms have an element of storytelling that moves back and forth with the defendant informing the Tribunal of what happened and the speech of people reported within the testimony. The Tribunal's questions therefore have to seek to gain more information about each robbery, to either confirm what they already know, or provide additional information to the core narrative.

When establishing core narrative, the Tribunal tend to use wh-interrogatives, like the one below, in order to get a broad sense of the events before utilising follow up questions. Here we have an example of the initial question the Tribunal posted to the Carpenter Tjauenany:

*Ex.12: P.BM EA 10052 8, 18*

*ih p3 shr š(m) i-ir=k (ph) r n3 swt ʿ3yt*

*'What is the story of your going to (reach) the Great Tombs?'*

The question is straightforward, and does not seek to attack the accused in anyway. However, Tjauenany does not cooperate with the Tribunal in this instance. Instead he exclaims that he knows what happened to thieves in the time of Vizier Khaemwese so would never be involved knowing what he did. It is also not known why

Tjauenany has been brought before the Tribunal, but it is likely that he has been spoken of in a deposition that we do not have surviving. Indeed, we do not know the reasons for why many of the thieves are brought before the Tribunal, but many of the people investigated are listed in the Abbott Dockets as the names of thieves 'laid before Pharaoh' or the Vizier. This is the earliest indication we have of the people which the Tribunal believe to be involved in the robberies, though we do not know how they drew up this list in the first place. A notable aspect of the TRP is that no one is brought before the Tribunal unless they are suspected of having direct, social, or familial connections to the robberies themselves.<sup>81</sup> Therefore, Tjauenany must have been named by someone who knew him in order to have been brought to trial. Others who are accused have very clear reasons for being brought to trial, namely those who seem to form so called 'robbery groups'.

Gathering information works well for the Tribunal when they are questioning successive people from the same group. Perhaps the best example of this type of build-up of core narrative is found at the beginning of P.BM EA 10052, part of the 'Bukhaaf affair'.<sup>82</sup> With these testimonies, it is evident that each testimony provides the Tribunal with an armoury of knowledge with which to question the subsequent accused, or at least bear in mind when asking their questions. Bukhaaf's testimony is very detailed in terms of giving the Tribunal exactly what they need to begin to question the others that come after him, specifically a long list of the names of those who were involved in the robberies with him (See Chapter Five).

### 3.5.2. Use of Wh-Interrogatives and Imperatives

Archer (2005: 77) notes that in modern courtrooms, and also in EmodE courtrooms, Tribunals or Examiners use open-ended wh-interrogatives to begin their examination of those accused. One such example comes from the Trial of Francis Francia (1716):

*'Then Mr Everall was called.*

*Mr Hungerford: "What do you know of White or Megginson?"*

*Everall: "I know nothing of them."* (Archer, 2005: 145)

<sup>81</sup> Of course, there are mistakes made as is the case with Scribe Paaemtawemtet in P.Mayer A (14.22-25) wherein he has been mistaken for the actual thief, the Measurer Paaemtawemtet son of Qaqa.

<sup>82</sup> P.BM EA 10052 pages 1-7

In the TRP, the wh-interrogatives of the *ih p3 shr* and *ih hr=k* kind, are used with questioning foci, which are very general and open-ended and therefore allow the Tribunal to elicit longer ‘narrative type’ responses, and similar occurrences are noted by Sweeney (2001: 122) in her work on questions in letters and dialogue in the Ramesside period.

These wh-interrogatives also allow the Tribunal to question the (non-hostile)<sup>83</sup> accused about a previous testimony (be it their own or another’s) if they believe there is more information to be gained or, alternatively, question the events to which a (hostile) accused may have previously mentioned (Archer, 2005: 78). This being said, these wh-interrogatives can be broad or narrow in their definition depending on the context in which they are being used. For example, Ex.13 is a very broad type of question that is asked of the accused, typically at the start of an accused’s examination. It encompasses everything that the Tribunal could ask of the accused (Where did they go? Whom did they go with? What did they take?), and allows the accused to answer as they feel necessary:

*Ex.13: P.Mayer A 4, 16-17*

*ih hr=k r n3 hr n pr-ʕ3 i-t3=k*<sup>84</sup>

*‘What have you to say about the tombs<sup>85</sup> of Pharaoh which you robbed?’*

Due to its broad nature, there is a lack of control in the question posed, so if the accused is hostile towards them then the Tribunal is unlikely to get the answer they wish to elicit. Indeed, the accused to whom the question was posed does become hostile as a result of being asked this. However, if the accused is non-hostile then this type of broad question will, more than likely, elicit the long and detailed response that they are looking for.

The example below is from the testimony of Nesamun called Tjaybay, who has provided vague responses when questioned as to what his involvement in taking things from the tombs is. However, he has admitted to taking silver but does not say what it is he took:

<sup>83</sup> Specifically, an accused who willingly provides them with information without the use of denial phrases, or minimal usage of small denial phrases such as *bpy=i ptr* after a beating.

<sup>84</sup> Second Tense usage emphasising that it was the accused who was stealing from the necropolis.

<sup>85</sup> *n3 hr n pr-ʕ3* may either refer to the royal tombs (plural), or to the entire necropolis.

*Ex.14: P.BM EA 10052 5, 9-10*

*ih<sup>86</sup> n hnw n3 in=tn<sup>87</sup>*

*'What things were the ones you brought away?'*

This allows the Tribunal to utilise a narrower wh-interrogative that seeks to restrict the information the accused can provide them with, and so is typical in follow-up questions where a specific point needs further clarification. It is therefore the purpose of this wh-interrogative to narrow the focus down from 'What was your involvement in the robberies?' to 'What were those things?' and by doing so will force the accused into answering their question since the accused led them to it in the first place. Again, the hostile/non-hostile aspect of the accused will come into play here. If the accused is non-hostile, they will provide an answer even if it is more probing than a broader wh-interrogative. However, a hostile accused will simply refuse to answer a narrower question or use a denial phrase to deflect it.

By using demanding speech acts, the Tribunal can, just like with the narrow wh-interrogative, make it clear to the accused precisely what information they require from them:

*Ex.15: P.BM EA 10052 7, 15*

*i-dd rmt nb i-wn m n3 swt*

*'Tell every man who was in these tombs.'*

However, unlike the wh-interrogatives, the use of a demanding imperative (*i-dd rmt nb*) by the Tribunal is an explicitly impolite manner with which to seek information, and therefore the accused would be more likely to become hostile. It should be noted that while the impoliteness of the imperative is considered a contextual norm for legal proceedings its impact on the discourse and accused can still be assessed.

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<sup>86</sup> When proceeding the genitival *n*, *ih* is classified as a bare noun. See also Černý & Groll (1993: 35).

<sup>87</sup> Nominal sentence pattern (*w'*) A + a definite article + relative form. See also Černý & Groll (1993: 533).

### 3.5.3. Controlling What the Accused Will Say

By using these wh-interrogatives or direct address imperatives it allows the Tribunal to control what the accused will say, or at least guide their answer with some certainty. In sections 3.3.1 and 3.4., framed questions were mentioned as a means of controlling what the accused will say by framing a question in such a way that a direct, compliant answer provides the answers they require. In this way, they hope only to hear about the events and people surrounding the robberies rather than protestations of innocence. This, of course, is not always the case but, as the examples in the section above show, these wh-interrogatives can be used to direct the accused to provide them with the information that they need.

### 3.5.4. Conflicting Narratives

A problem found in the TRP, as well as the Modern and EmodE courtrooms, is that piecing together an accurate core narrative from testimonies is somewhat difficult. This is demonstrated particularly well in the testimonies from the Bukhaaf group of P.BM EA 10052, as there are enough testimonies provided so that we, and the Tribunal, to see where discrepancies arise.

The overall arc of what Peet calls the ‘Bukhaaf affair’<sup>88</sup> is that there were 5 members of a group, associated with Bukhaaf, who went to rob a tomb; Trumpeter Perpatjau, Incense Preparer Shedsukhons, Incense Preparer Nesamun called Tjaybay, Amenkhau son of the singer of the Offering Table Hori, and Foreigner Userhetnakht. The testimonies that are recorded for these men, except Userhetnakht and Amenkhau son of the singer of the Offering Table Hori, all tell the same basic story of how they went to rob the tombs with one another. However, there are discrepancies in the testimonies where each accused blames the other members of the group for coercing them into robbing the tombs. This is what the questions of the Tribunal are designed to root out. By asking every accused a wh-interrogative, or any of the other information-eliciting types for that matter, along the same lines it allows them to assess the truth of each statement so that they can work out what is fact and what is being elaborated on by the accused.

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<sup>88</sup> This particular group is part of the ‘Bukhaaf Group’ as named by Peet. Within this ‘affair’ there are a set of thieves who are clearly interconnected. In terms of this particular episode, the Shedsukhons gang act separately from the remaining thieves of the Bukhaaf group, where they belong to that group or not, but the Bukhaaf group ‘muscle in’ on the action. This particular set of robbers will be discussed in depth in Chapter Five.

### 3.5.4.1. Follow Up Questions

On occasion, where the Tribunal need to prompt further information, or to challenge the account the accused has given so far, the Tribunal intervene again. One such instance is the use of follow-up information-eliciting interventions such as follow-up directive to prompt further information. In the EmodE courtroom this type of questioning occurs as follows:<sup>89</sup>

*Mr Ward: "Do you know where the Prisoner's Foreign Letters used to be left?"*

*Everall: "His letters always came to my House."*

*Mr Ward: "Was he usually watchful for the coming in of his Letters, as if there was any Thing of Concern in them?"*

From the Trial of Francis Francia (Archer, 2005: 145)

As can be seen here, Mr Ward who is presiding over the trial, asks Everall a follow up question to his initial one so as to gain more information about about Francis' movements in regards to certain letters sent between Francis and persons of interest.

The following instance is the first of several follow up questions that exist in the Nesamun called Tjaybay testimony. In context, Nesamun has admitted to the Tribunal that he took 'things of silver' from the tombs but has been vague when describing these things. In response, and in order to get more information out of an unwilling accused, the Tribunal must ask the following 'follow up' question:

*Ex.16: P.BM EA 10052 5, 9-10*

*ih n hnw=w n3 in=tn*

*What things were the ones you brought away?*

It is apparent that Nesamun called Tjaybay is hiding something from the Tribunal as, while he fully admits to having been in the tombs, he is not forthcoming with the details about the 'things' that he stole. It is these 'things' that the Tribunal, in their position as prosecutors, need to know in order to piece together the events surrounding the robberies, so a follow up question is necessary to attempt to pry the information out of Nesamun. As will be shown in Chapter Six, the interactions between Nesamun and Tribunal are numerous. There are several follow up questions that come after this in the testimony where the Tribunal attempt to deconstruct Nesamun's

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<sup>89</sup> The formatting of the following example is in the style of the original manuscript.

answers by asking further questions that lead him away from vague answers into something more concrete.

Another example of a follow-up directive comes from the testimony of Townswoman Ese, where Ese has been brought before the Tribunal because they believe that she may have information about her husband's involvement in the robberies. Ese replies to this question with a denial phrase, stating that she has not seen the silver at all. The Tribunal then ask her this follow up question:

*Ex.17: P.BM EA 10052 10, 14-15*

*dd n=s sš dhwt-y-ms ih p3 shr in i-ir=t n3 b3ki i-in=t*

*The Scribe Thutmose said to her "How did you buy the servants which you bought?"*

It is evident that the Tribunal are asking her this question because they have had information provided elsewhere<sup>90</sup> and have a chance to interrogate her since she has denied even having the silver. This question is impolite, as it infers that she is lying about the silver and has been so bold as to buy servants with it. It therefore challenges her to clarify how she came by these servants, and provide them with an explanation that shows she bought them via legal means. In this way, the Tribunal uses a follow up question to pick holes in an accused's testimony to ultimately prove that the accused is guilty of tomb robbery, or possession of silver. In context, the servant of Ese is brought and he testifies how Ese's husband bought him. The fate of Ese is unknown.

Trumpeter Perpatjau has been brought before the Tribunal, as the Tribunal believe he is involved with the Shedsukhons group, and therefore desire him to corroborate or provide additional information as to who was with him and the other thieves:

*Ex.18: P.BM EA 10052 4, 3*

*dd.tw n=f i-dd n=i rmt nb i-sdm=k i-ptr=k*

*He was asked, "Tell to me every man which you heard, and which you saw."*

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<sup>90</sup> This is an indicator that the Tribunal is not a 'blank slate' but are already in possession of considerable amounts of knowledge or suspicions. There is no indication that all this knowledge comes from previous testimonies, and, of course, in the Modern era much of an investigation takes place before and outside of the court system. In like manner it seems, from the Abbott Dockets, that Paweraa, as Governor of the West, lead an investigation which later led to the Tribunal meetings of which we now have record.



Unlike Ese, above, Perpatjau replies to the above with an ‘acceptance’ answer, whereby he relates the story of who robbed the tomb, and what they stole, thus providing the Tribunal with the information that they seek. This speech act on behalf of the Tribunal can be considered impolite, as instead of asking who was involved they demand the information from the accused.

### 3.5.5. Gaining Knowledge from Others

As mentioned above, gaining core knowledge about the robberies is one of the Tribunal’s key objectives when questioning the accused. The testimonies of others are vital to the Tribunal in order to be able to gain further information that they may not have previously had, which then allows them to question others who have been accused based on this information. These questions usually take the form of the Tribunal stating that another accused has mentioned something that relates to the particular accused they are in the process of interrogating, and invites said accused to explain the information they have.

The following example comes from the testimony of Warehouseman Efenmontu and is the first of the ‘Efnamun affair’ testimonies:

#### *Ex.19: P.BM EA 10052 7, 10-11*

*dd.tw n=f ih h(r)=k t3 mdt n n3 swt i-ph=k i-r-m n3 rmt i-di iw=f-n-imn wn  
m hry-pdt hn=w iw ihy-mh p3y=f sn r-h3t=w*

*He was asked, “What is it you have you to say about the issue of the tombs that you reached with the men whom Efnamun, who was Troop Captain, sent with Ihymeh, his brother, leading them?”*

It is apparent that the Tribunal have interrogated someone else connected to this group, possibly Ihymeh or Efnamun,<sup>91</sup> before the interrogations recorded in P.BM EA 10052, and they are using this information gained from questioning others to narrow down their questioning of Efenmontu about one specific event and not the robberies as a whole.

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<sup>91</sup> Testimonies of Efnamun and Ihymeh do not appear anywhere in the surviving corpus thus making the “Efnamun affair” fragmentary as only the fringe members are shown to be questioned. It is possible that their testimonies were recorded in a text that we do not have and it is on this these testimonies that the Tribunal are basing their interrogative questions.

Unlike Ex.19, the example below demonstrates the Tribunal explicitly mentioning the person who accused Butcher Pennesuttawy:

*Ex.20: P.Mayer A 3, 20-22*

*dd.tw n=f ih p3 shr šm i-ir=k i-r-m bw-h3<sup>c</sup>=f r n3 swt i-dd pr-p3-t3w p3 dd-m-  
šnb wn=k i-r-m=f*

*He was asked, "What is the story of your going with Bukhaaf to the places which Perpatjau, this Trumpeter, said that you were with him?"*

This type of questioning immediately demonstrates to Pennesuttawy that they are aware of his possible involvement because someone else, in this case Perpatjau, has already said that he was involved with him in the robberies. It puts the Tribunal in a stronger position with their questioning than they were with previous accused because they are able to justify their questioning of Pennesuttawy with the 'evidence' of someone else's deposition.

### 3.5.6. Prompting Questions

Prompting questions have been mentioned earlier in this chapter as a way of persuading the accused to answer the question in the right manner and provide the right information for the Tribunal. In this section, it will be determined what effect these prompting question have on the accused's face be it positive or negative. Culpeper & Kytö (2000: 63) note that questions are used in a trial context to prompt the accused into giving the Tribunal precisely the information that they need. Indeed, Archer notes the same of the EmodE courtroom when the Judges, after a lengthy back and forth with a witness or defendant, use a prompting question to get the specific information they have not gained previously. For example, here the Lord Chief Justice is trying to ascertain the nature of the letter the witness, Mr. Oates, received from the defendant:

*Lord Chief Justice: "In what language was it written?"*

*Mr. Oates: "In plain English words at length."* (Archer, 2005: 181)

(From the Trial of Edward Coleman, 1678)

The Tribunal's question to Sailor Amenhotep is very specific in what information they expect him to divulge to the court. A prompting question is utilised in order to persuade Amenhotep to tell them about the robberies he committed with his

brother in law, and it leaves Amenhotep with no other choice but to answer their question or deny his involvement:

*Ex.21: P.BM EA 10052 15, 1-2*

*dd.tw n=f ih hr=k p3 hi n t3y=k snt wn=k i-r-m=f m n3 swt*

*He was asked, "What have you to say concerning the husband of your sister with whom you were in the Royal tombs?"*

It negatively affects the accused's face because it demonstrates that the Tribunal have information that proves his involvement, and prompts Amenhotep to provide more information. With the negative affect on his face, Amenhotep would have no choice but to deny his involvement to save 'face', or to admit involvement in the robberies, but provide a counter testimony that would also allow him to save 'face' and give the Tribunal new information. In context, Amenhotep chooses to deny all involvement and save face, so the Tribunal would have to attempt a different tactic to get the information from him.

Fisherman Panakhtenipet has been brought before the Tribunal because they suspect he aided the thieves to cross the Nile and bring the stolen silver back. The question itself prompts the accused to talk about a specific subject:

*Ex.22: P.Mayer A 5, 10-11*

*dd.ti n=f ih p3 shr n d3 i-ir=k n3 it3 i-d3=k*

*They said to him, "What is the story of your ferrying the thieves which you ferried over?"*

The presupposition behind this question negatively affects Panakhtenipet's 'face', as it assumes that not only did he help the men, but he must also have partaken in the robberies or at least benefitted from them. The implication, therefore, is that in the Tribunal's eyes he simply could not have ferried them over without being involved with the robberies themselves. This is damaging to Panakhtenipet's face, as it implies that he also robbed the tombs in addition to ferrying the thieves over. He therefore has to make a choice as to how he will answer the Tribunal. Denying having ferried the thieves over would allow him to save face, and refute the accusations that have been levelled at him by the prompting question. On the other hand, he can admit to ferrying the thieves over but provide them with more information about the robberies themselves. In context, Panakhtenipet chooses to provide the Tribunal with more information by

admitting that he did ferry the men across the Nile, but at the same time denies having ever seen or known what the men were doing, thus allowing him an attempt to save his social face by complying with the Tribunal's investigation.

### 3.5.7. Impolite Speech Acts

Another aspect of FTAs in the TRP corpus is the impolite speech acts that the Tribunal make to the accused when they want to charge them with something directly. These speech acts do not use implicature, but instead are explicit in the way in which they direct their accusations.

In the example below, we see the Tribunal (in this case specifically the Vizier) attempt to gain information about silver from Townswoman Ese, but she is insistent that the silver, and subsequently the servants, were acquired legally (Ex.17). The Vizier therefore seeks an alternate method of proving her guilt:

#### *Ex.23: P.BM EA 10052 10, 15-16*

*dd t3ty imi in.tw p3y-nht p3y=s b3ki iry=f s<sup>c</sup>h<sup>c</sup>=s in hm p3y-nht*

*The Vizier said, "Let her servant Paynakht be brought so that he may accuse her." The slave Paynakht was brought.'*

We again see the use of the imperative *imi* by the Tribunal, this time requesting someone to be brought to accuse Ese of her crimes. This directive comes towards the end of Ese's testimony, after she has denied the illegal acquisition of silver and purchase of servants, and it is therefore evident that the Tribunal still do not believe her denials as they are willing to bring in evidence, in the form said servant, to refute her claims. Since this speech act by the Tribunal comes after Ese's recorded testimony, one might suggest that the bringing forth of Ese's servant to testify against her could conceivably have been an unwelcome surprise for Ese. By this speech act, the Tribunal might hope that the testimony of Paynakht will spur Ese into confessing the truth. This speech by the Vizier is an impolite FTA on Ese, as it is clear from this point that the Tribunal do not believe the story she told. It negatively affects her face, as they have taken the information she has supplied them with, and have used it to bring someone to accuse her. In this way, the Tribunal is not only using the FTA to accuse her explicitly but also using it to reject her wants so that she is aware they do not believe her story, and therefore Ese is challenged to counter this new evidence. As it is, we do not have any

recorded speech from Ese after Paynakht is brought, so we cannot say what her reaction to the Tribunal would have been.

Here the Tribunal have brought Workman Ahatynefer to be interrogated over how exactly thieves broke in and damaged the *pr-n-st3* in the temple. Ahatynefer is not accused by the Tribunal of having committed theft here, but is instead being questioned on how the thieves managed to break in and damage the *pr-n-st3* in the temple:

*Ex.24: P.BM EA 10403 1, 4-6*

*dd.tw n=f ntk p3 mnty n t3y st i-dd my rmt nb i-ptr=k iw=w ʿkw hn t3y st iw  
iry=w h3w n n3 ipt n p3y pr-n-st3*

*He was asked, "You are the doorkeeper of this place. Tell (us) every man whom you saw go into this place and do damage to the fittings of this portable shrine."*

As with Sekhahatyamun in Ex.4, the Tribunal may be implying that it was Ahatynefer's job to look after the temple and therefore it is his fault that the thieves managed to get past and damage the *pr-n-st3*. Indeed, the Tribunal again seem to use the pronoun *ntk* in an emphatic and accusatory manner (*'You are the doorkeeper'*) towards the accused, which, if we think of the relative status of each discourse party, the high status of the Tribunal and the relatively low status of Ahatynefer, this speech might be seen to come across as even more severe than it might otherwise. The FTA enacted is once again that the Tribunal is negatively affecting the face of Ahatynefer as they are accusing him of failing in his duty of protecting the temple, or actively being part of the robberies.

As mentioned in Section 3.2.3.2., during discourse, everyone involved in said discourse is concerned with maintaining face, either consciously or subconsciously. Spencer-Oatey (2002: 540) states that there are three aspects of face, which are Quality, Relational, as well as Social Identity. Quality of 'face' is how one wishes others to evaluate them in terms of their personal qualities (closely associated with self-esteem), Relational is the evaluation of 'face' within a particular group, be it family or group an individual identifies with, and Social Identity as the aspect of face where one wishes to uphold their social standing against threats (Culpeper, 2011: 28). It is the Social identity that the Tribunal are using the FTAs to threaten here. Spencer-Oatey (2002: 540) defines this concern with the social identity of face as:

*'Someone is concerned with how they will appear to the wider social network i.e. a thief would not want to be accused as such so as to remain well thought of.'* (Spencer-Oatey, 2002: 540; cf Culpeper, 2011: 28)

Being well thought of in the wider social network is something that the Tribunal's questioning diminishes for the accused. If they are not as well thought of, or found to be guilty of the thefts, not only will their lives be at stake but also their reputations. Often, the accused's responses try to counteract this as they try to save 'face'. Indeed, as has already been stated, tomb robbery is a serious crime in the Egyptian social sphere, so it is not something someone would wish to be accused of or associated with.

Ridealgh (2013a) discusses this in relation to the LRL letters, where 'face' is tied to the Superior/Subordinate relationship, and 'face' is affected when the Subordinate does not cooperate with the Superior's wants thus forcing the Superior to reprimand them. An example of this has already been shown in Section 3.2.3.3., but to further the point here is an example from P.BM EA 75019 where General Piankh is addressing an unknown sender:<sup>92</sup>

#### *P.BM EA 75019, 4-7*

*h3b(=i) n=k p3y šmsw ink iw di=i iw(t) n=k ky šmsw ink m p3 šmw mh iw=k tm  
dit iwt=f 3s sp sn wnn t3y=i š't hr spr r=k iw=k wd p3y šmsw ink 3s m dy 'h'f  
m 'h' nb iw=f spr p3 nty tw=k im iw di=k in.tw n=i p3 h3b(=i) n=k nb hr=f*

*'As follows, (I have) sent to you this messenger of mine, I have caused to come to you another messenger of mine at the end of summer, and you did not cause him to come (back) quickly! When my letter reaches you, you shall dispatch the messenger of mine quickly here, do not let him wait at all, after he has reached the place where you are, you shall cause to be brought to me all which I have written to you.'* (Demarée, 2006: 15 cf Ridealgh, 2013a: 187)

Ridealgh (2013a: 187-188) notes that Piankh (the Superior) is affecting the 'face' of the recipient (the Subordinate), as he is reprimanding him for not having done what Piankh has asked him to do previously, and also provides further clarification on exactly what the recipient is to do next. The 'face' is affected due to the recipient not obeying

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<sup>92</sup> Ridealgh (2013a: 187) notes that the formal introduction to the letter, as well as its contents, would indicate that Piankh had more than just a Superior/Subordinate relationship with the recipient, and therefore this person is a possible familial relation.

the command of his Superior, and in order to save ‘face’ and ultimately get back into his Superior’s ‘good books’.

Another example in the Egyptian record of ‘face’, or rather the defence of it, comes from P.BM EA 10326, where Piankh’s Subordinate attempts to defend the ‘face’ of his Superior:

*P.BM EA 10326 (=LRL no.9), 10-12*

*hr tw=i m šs sp sn m-di p3y=i hry bw ir=f nn n=i di=f mn n=i m-d-k-t 1 r-  
iwd sw 5 5 kw n wnm m-mnt w nw iw=f šsp 5 hnw n hnkt m-mnt m p3y=f b3k*

*Now, I am all right with my superior! He does not neglect me. He has caused to gift me with one mdk.t-vessel every five days, five ordinary loaves daily, and a nw-vessel, which receives five hin-measures of beer daily, from his wages.’ (Černý, 1939: 17–18; Wente, 1967: 37 & 1990: 191 cf. Ridealgh 2013a: 190)*

Here we can see that the Subordinate of Piankh in this letter is defending Piankh against accusations that he has not been looking after his Subordinates properly. It shows clearly that the Egyptians were concerned with how they, or someone else, was being presented, which is the very definition of ‘face’.

As well as impolite speech acts, the Tribunal also make use of demanding questions (direct address imperatives) as part of FTAs in order to elicit the information that they need from the accused. These demanding addresses use presupposition and impolite language in order to attack the face of the accused and provide them with the right circumstances in which the accused will feel threatened enough to answer the question posed to them. While it could be argued that all questions posed by the Tribunal could be classed as ‘demanding’ due to the social norms of the context, what is being discussed here is a specific type of information-eliciting question; the ‘Tell us...’ (Direct address) type rather than the ‘Wh-type’ that was discussed earlier in this chapter. This ‘Tell us...’ type seems to be more impolite than the ‘Wh-type’ that simply seeks information through presupposition.

This example is from the testimony of Nesamun called Tjaybay and comes in the middle of the discourse rather than as the initial question asked to the accused as is the case with other examples. Since Nesamun has admitted to stealing from the tombs,

though getting him to admit this was a difficult task for the Tribunal, it falls once more to the Tribunal to attempt to discover where exactly this silver has gone:

*Ex.25: P.BM EA 10052 5, 18*

*i-dd n=i rmt nb dy<sup>93</sup> n=w hd m p3y hd*

*‘Tell to me every man who was given silver from this silver.’*

The use of the imperative *i-dd n=i* ‘Tell me’ is immediately impolite because it turns a question into a demand for information. This would negatively affect the face of Nesamun as he might feel as if he has been completely honest with the Tribunal, only for them to demand more information of him rather than using wh-interrogatives as they have done previously. On the other hand, the sudden switch to this type of questioning may not come as a surprise to Nesamun as he has been a particularly hostile accused for the Tribunal to question during this particular set of interrogations. So, as a result of this, the face of Nesamun may not be as negatively affected as it might have been if he had been a non-hostile accused. As it is, Nesamun would probably have expected this escalation in the severity of questioning because of his own actions.

The Tribunal’s initial statement to the Wab Priest Pawenesh can be seen to be very impolite and demanding, particularly because Pawenesh has not yet spoken to the Tribunal in this interrogation. However, he can be classed as a ‘hostile’ witness, as in his previous interrogation (P.BM EA 10052 11.17-19) he protested his innocence, and therefore has had to be brought a second time:

*Ex.26: P.Mayer A 8, 3-6*

*dd.ti n=f wn=k h̄.tw m[-b3h] n3 srw m t3 h3t dd.ti n=k i-dd p3 sh̄r šm i-ir=k  
bpy=k dd [...] iw bw rh=k r-dd h3y p3 nty ir d(r)t=k ir=f šnw n3 smtr nty iw.tw  
i-ir=w n=k iw d(r)t=k mr p3 nty iw=k ir=f*

*‘He was asked, “When you were standing [before] the officials previously, you were asked “Tell the story of how you proceeded, you did not tell [it][...] you not knowing what your hand did would return. The examinations which will be done to you are painful, for what you will achieve is just a sore hand.”’*

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<sup>93</sup> Rare example of a passive participle with a retained object, with *rmt nb* as the antecedent and *=w* as the resumptive pronoun. See Gardiner’s Grammar (1957) §377.



Once again, the Tribunal have opted to use the direct address *i-dd p3 shr* ‘Tell the story’ as a means of demanding that they require information from Pawenesh during this investigation. This would negatively affect the face of Pawenesh, as he has yet to be allowed to defend himself against the accusations but is already being threatened with more punishment if he fails to comply with their demands. It is important to note here that Pawenesh has been brought before the Tribunal at some point prior this particular testimony. We find in P.BM EA 10052 that Pawenesh has been brought before the Tribunal, and protests his innocence by using the fact that he lives in a little house to prove that he had not seen any benefit from the robberies, and therefore anyone contradicting him is lying. In P.Mayer A, he has been brought before the Tribunal for the same thing, and still denies having stolen from the Tombs, but the Tribunal’s question shows they believe he knows more than he has previously said. Since Pawenesh was first interrogated during the examinations of P.BM EA 10052, the demand and threatening behaviour displayed in the P.Mayer A demonstrates an escalation and one of the more extreme examples of threatening behaviour displayed by the Tribunal.

This example comes at the beginning of the discourse between the Tribunal and the Gardener Kar about his involvement in the robberies:

*Ex.27: P.BM EA 10053(v) 3, 6*

*dd.ti n=f i-dd p3 shr n šm i-ir=k iw=k kwkw p3y nbw n3 htri i-r-m n3y=k iry*

*He was asked, “Tell the story of your going and stripping this gold off the door jambs together with your companions.”*

Unlike the previous example, this statement from the Tribunal is less threatening to the face of Kar as the Tribunal does not threaten physical harm to his person. However, this example is still using the imperative ‘*i-dd*’ to demand that Kar provide them with the information that they require about his involvement in the robberies. The demand does negatively affect Kar’s face as instead of asking a wh-interrogative to obtain the information the Tribunal uses an imperative to demand that he give it instead. However, unlike other examples, there is no presupposition on behalf of the Tribunal. They are aware that the information they are asking Kar to confirm with his response, and indeed Kar goes on to give a lengthy confession of his involvement in various crimes in the temple.

It is interesting to note that P.Mayer A contains the most instances of these ‘direct addresses’ out of any other text in the corpus, compared to P.BM EA 10052, which favours wh-interrogatives, as do many of the other papyri. Overall, it would seem that some papyri in the corpus display less demanding language during discourse and more presupposition to negatively affect face, whereas others display demanding language, through the use of imperatives, to threaten the accused into answering their questions.

### 3.6. Responses of the Accused

While a larger discussion on the responses of the accused will be assessed in the next chapter, there is a need to briefly assess them in terms of the FTAs being inflicted upon them by the Tribunal. Responses of the accused to these FTAs are limited because they cannot be seen to be overstepping the boundaries that confine them to the norms of discourse in this social situation. There is also the Subordinate/Superior relationship to consider when assessing the replies given by those accused. Their responses are likely to be more subdued than they would be in other situations, as the context does not allow for polite outspoken behaviour in the discourse without serious repercussions. There are four different types of responses that those accused can give when faced with an FTA from the Tribunal:

- Outright denial of involvement
- Denial of involvement plus further elaboration on why they are innocent
- Acceptance of involvement in the robberies<sup>94</sup>
- Acceptance of some form of involvement, but with an explanation as to why they are innocent of the principal thefts.

The example here shows Townswoman Mutemhab denying her involvement in the robberies while simultaneously providing the Tribunal with information that will help to exonerate her. In context, the Tribunal have used the fact that she is married to Ramose, who has been found to be involved in the robberies, to bring her before the court and accuse her of being involved in harbouring stolen goods. This is a direct face attack on Mutemhab:

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<sup>94</sup> It is possible that there are other factors such as exhaustion after a beating by the Tribunal will have caused them to confess to the crimes. It is also possible that an accused might admit to a crime from the beginning, as they do not wish to have been caught lying.

*Ex.28: P.BM EA 10052 15, 6-8*

*dd=s bn i-ir=f in p3y hḏ iw=f m p3y=i pr iwn3 iw=i mh 4 hmt t3 2.t m(w)t.tw  
kt.ti ḥnh.tw imi in.tw t3 nty ḥnh.tw mtw=s sḥḥ=i*

*'She said, "He never brought this silver while he was in my house. I am the fourth wife, 2 being dead and another still alive. Let her who is alive be brought and she accuse me."'*

Her response to the Tribunal denies her involvement, thus allowing her to save face. However, she also seeks to placate the Tribunal by providing them with more information about whom they should be questioning in order to get the information that they require. To do this, she points out that she is not the only member of Ramose's direct family, who is still living, and who could be party to his involvement in the robberies and thus provides them with an alternative person to question instead of her. This allows her to deflect the attack, and forces the Tribunal to look elsewhere for someone to be guilty of hiding silver.

The accused, Pakamun, accepts complete responsibility for his involvement in the robberies. The Tribunal have attacked the face of the accused when they accused him of being involved in the robberies:

*Ex.29: P.Mayer A 1, 11-13*

*dd=f tw=i hnw.k(w) i-r-m wḥb t3t3-šri s3 it-ntr ḥri n t3 ḥwt-ntr sš p3-b3ki s3 ns-  
imn n pr pn 3ḥ ns-mntw n pr mntw pn nbiwnw 3ḥ p3-nḥsy s3 t3t wn m ḥm-ntr m  
sbk n pr-ḥnh t3ty wḥ rmt iw ny-sw p3-nḥsy s3 t3t wn m ḥm-ntr n sbk pr-ḥnh dmd 6*

*'He said, "I went with the Wab Priest Tetisberi son of the Divine Father of the temple Hori, the Scribe Paybaki son of Nesamun of this temple, the Foreigner Nesmontu of the temple of Montu Lord of Heliopolis, Foreigner Panehesy son of Tjat who was a priest of Sobek of Perankh and Tjaty a man belonging to Panehesy son of Tjat who was a priest of Sobek of Perankh, total 6."*

Instead of denying involvement, the accused admits to robbing from the tombs and gives the Tribunal new information with which to question other accused with in the testimonies that follow. By doing this, the accused hopes that because he has cooperated with their investigations he might not be punished as severely as he might have been if he had been a hostile accused. This might not necessarily be the case in the

Tribunal's eyes, but having the cooperation of the accused can prove vital to their own investigations.

The following example is more complex than the others are, as not only does the accused admit to having been involved with the robbers, he also seeks to deny further involvement that would make him guilty of tomb robbery. Fisherman Panakhtenipet has been brought before the Tribunal as he has been accused of ferrying the thieves over:

*Ex.30: P.BM EA 10052 14, 13-17*

*dd=f d3y=i n3 it3 m t3 idt p3-bik h3c=i st r t3y rwi dd.tw n=f nym sp sn dd=f  
hmty w<sup>c</sup>-rs n p3 hr w<sup>c</sup>b p3-nht-rs s3 p3-wnš n t3 hwt (3)-hpr-r<sup>c</sup> hmty it-nfr in=i  
st r niwt dd.tw n=f ptr=k t3y=w 3tp dd=f bpy=i ptr sw whm m smtr m b-d-n  
dd=f m ir g3=i bpy=i ptr=w dd n=f t3ty n3 sr ih m 3tp t3 wn (hr) nhbt=w dd=f  
wn n3y=w hnw (hr) nhbt=w bpy=i ptr*

*He said, "I ferried the thieves from the district of the Falcon and landed them on this side." He was asked "Who and who?" He said "Coppersmith Waresi of the Necropolis, Wab Priest Panakhtresi son of Pawenesh of the temple of (Aa)hheperre and the Carpenter Itnefer. I brought them over to Thebes." He was asked "Did you see what they were carrying?" He said, "I did not see it." He was examined again with the stick. He said "Don't make me lie, I did not see them." The Vizier and the Officials said to him "What sort of loads had they?" He said, "They had things on their necks, but I did not see them."*

This part of the presupposition is the one that he accepts. What he does contest is the Tribunal's presupposition that because he ferried the thieves across the Nile he was also involved in robbing the tombs. Therefore, to save face from the Tribunal's presupposed FTA on him, and prove his innocence, he contests this involvement by explaining that even though he was responsible for ferrying them over he did not know what they were doing or what they brought back with them. This allows him to be 'involved' in the robberies without the negative effect that actually having robbed a tomb would have caused for him.

### 3.7. Remarks

Assessing the use of questions by the Tribunal is an integral part of understanding why the discourse takes the course it does during these testimonies. The different types of questions that the Tribunal ask seek to elicit different types of information and answers depending on the levels of hostility that they are dealing with from the accused. Wh-interrogatives are politer than the direct address imperatives, as they are phrased in a politer manner (ask rather than demand), thus allowing the Tribunal to get the information that they require from the accused. Despite this ‘politer phrasing’, both the Wh-interrogatives and the direct address imperatives impact negatively on the face of the accused, as the Tribunal use them to demand and pry information about the robberies from the accused, causing them to react in a hostile manner rather than in the manner the Tribunal wish them to.

FTAs are key to understanding the Tribunal’s mind-set when questioning the accused. The way in which the Tribunal use the face attacks when questioning the accused shows their favourability for negative impoliteness, as they do not care about the face wants of the accused, i.e. that those accused want to be found innocent of the thefts, and are primarily focused with their mission to gain as much information about the robberies as possible. Their use of presupposition directly affects the face of the accused forcing them to either become hostile or remain non-hostile in order to defend themselves against the accusations. This defence usually takes the form of either denial or acceptance of guilt that enables the accused to save their social face. However, while defending themselves against the face threats from the Tribunal some of those accused still provide them with the information that they need in order to interrogate others thus making this form of questioning particularly effective in the discourse.

Prompting or leading questions have also been shown to play a vital part in the Tribunal’s discourse and they allow them to ask questions of the accused that will deliberately elicit certain types of answers out of them. Prompting questions usually occur in the wh-interrogatives as the Tribunal can make specific mentions of certain aspects of the robberies such as ‘What is the story of your going to rob the tomb with your companions?’ which would force the accused to talk about a specific subject, depending on whether the accused is hostile or not.

Of course, the Tribunal do choose to actively indict the accused instead of simply inferring guilt by using impolite speech acts. These impolite speech acts are used

by the Tribunal to elicit more emphatic answers from those accused. By doing this the Tribunal cause one of two answers to come forth: the complete denial of involvement with an explanation as to why they are innocent, or an admittance of guilt with full details of how they and their companions robbed the tombs.

Having looked at all the different ways in which the Tribunal interact with the accused during the discourse, it goes someway to explaining why the accused use the different types of denial in their responses. The FTAs negatively impact on the face of the accused forcing them into action, be it denial or agreement, with the Tribunal, thus causing the Tribunal to act in turn by asking them more questions in an attempt to gain the information that they require. The whole discourse eventually boils down to two points: The Tribunal are primarily focused with their desire to obtain information about the robberies, and the accused, those who use denial phrases, desire to be found innocent of the thefts.<sup>95</sup> This creates a conflict of interests, thus causing the back and forth in the discourse as each vies for their own wants. Overall, it would seem that the Tribunal win out in most cases, as eventually the accused give in and provide them with the information that they require.

### **3.8. The Accused's Use of Questions and FTAs**

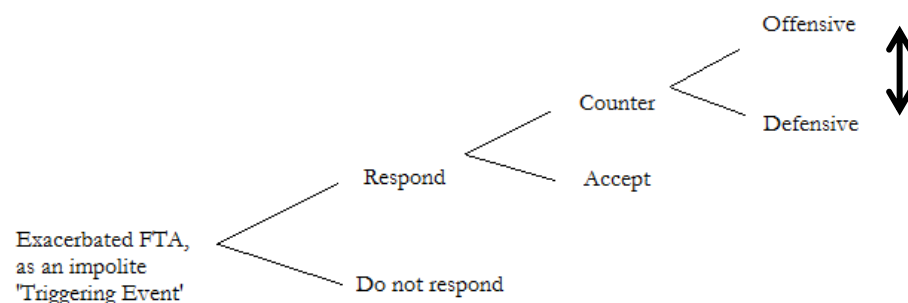
While this chapter has mainly focused on the questions and FTAs of the Tribunal that are directed at the accused, the questions and FTAs of the accused when answering the Tribunal must not be overlooked. Evaluating how each participant uses these linguistic devices is vital to understanding the overall discourse and how the participants interact with each other based on these linguistic devices.

The main reason the accused would use these questions and FTAs in their answers to the Tribunal is because they themselves have been attacked using them. In an argument, when one person uses an insult, it is usually the prerogative of the 'insultee' to retaliate in kind as a means of escalating the initial argument between the two parties. This is how the accused's use of questions and FTAs can be seen in this context. Archer (2005: 155) notes that the counter strategies of defendants in courtrooms are not always well documented when discussing linguistic analysis of

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<sup>95</sup> With the exception of those who outright confess.

discourse within legal proceedings. This section, and Chapter Four,<sup>96</sup> are an attempt to go against this trend and form a more rounded view of the discourse as a whole, so as to present the whole view of how each participant interacts with one another. The Tribunal's questions are conducive, meaning that they ask the respondent to 'conform to the underlying presupposition of the question' (Shuy, 1995: 208; Archer, 2005: 155) but that does not mean that the accused have to do so. In fact, it would be within their best interests to answer these conducive questions in such a way that would prevent the Tribunal from exercising their presupposition over those accused, thus allowing the accused to put their own perspective on the evidence that has been brought against them. If we choose to look at the accused's questions and FTAs in this manner it may become clear how they are using them to distract and deflect the Tribunal's presuppositions and information mining efforts. Bousfield (2008a: 203, figure 3) notes that when faced with an FTA attack from a superior, a subordinate has a series of options in deciding how they will respond to it:



**Figure 1: Bousfield's Diagram of Defendants Response Options (2008a: 203, figure 3)**

Figure 1 demonstrates that the accused can only follow a certain set of response options when faced with an FTA from the Tribunal. Many of those accused choose to respond and counter with defensive action. However, when questions are posed by the accused, they counter with offensive action against the face of the Tribunal, thus allowing them to gain the upper hand.

<sup>96</sup> The main discussion on the methods of denial the accused use is contained within Chapter Four. While this section does analyse a type of denial used by the accused, it was felt that the discussion of 'questions' should be kept together.

This section will look at three main aspects of the accused's questions and FTAs:

- What sort of questions do they ask?
- What they might be hoping to achieve with these questions?
- What are the linguistic tactics that these questions employ?

By asking these three questions of the corpus, an understanding will be gained as to how and why those accused are using these questions and FTAs in the discourse, and how this affects our overall understanding of Tribunal/Accused interaction in the New Kingdom courtroom.

### **3.8.1. What Sort of Questions do the Accused Use?**

The first thing to determine is the precise type of questions that the accused ask the Tribunal when their social face is being threatened by their presupposition. From looking at the accused's answers in the corpus, two types of questions asked by the accused can be determined:

- Rhetorical questions that require no answer from the Tribunal, but seek to argue directly with the presuppositions directed at them.
- Defensive questions that challenge the accusations brought against them and seek to provide the Tribunal with doubts about the accused's involvement.

By assessing these two types of questions in turn, a clearer picture of the defensive arguments made by the accused that are not simple denial phrases, but more complex denials that take the form of direct confrontation of the Tribunal, can be ascertained. It is this counter attack on the face of the Tribunal, rather than on the face of the accused, that makes for an interesting look at subordinate and superior relations in the courtroom.

#### **3.8.1.1. Rhetorical Questions**

Rhetorical questions used by the accused when faced with the Tribunal's questions demonstrate the accused's use of their own linguistic devices to attack the face of their interrogators. They are a very clear way of showing that it is not just the Tribunal in the proceedings that has the power to ask questions and that the accused can reject the accusations brought against them with far more than a simple denial phrase. It also allows the accused to leave a question hanging in the air, along with its implications, and to be sincere thus following the Quality maxim (Brown & Levinson,



1978: 228). Indeed, Chaemsaithong (2009, 57) notes that this is a feature of the Salem Witch Trials, for example the testimony of George Jacobs, Sr:

‘Q : Look there, she accuseth you to your face, she chargeth you that you hurt her twise. Is it not true ?

A : What would you have me say ? I never wronged no man in word nor deed.

Q : Here are 3 evidences.

A : You tax me for a wizard, you may as well tax me for a Buzard. I have done no harm. (George Jacobs, Sr.: (Boyer & Nissenbaum, 1977 *Salem Witchcraft Papers*: 475))’

Chaemsaithong (2009: 56-57) notes that in the field of Historical Pragmatics, it is generally assumed that there is little room for ‘discursive leeway, and that the accused were under the complete control of the Judges’ therefore leading to limited response patterns. Chaemsaithong therefore suggests that the impoliteness on the accused’s part, may be down to bravado in an attempt to protest their innocence, and subsequently, responses to questioning may not be as limited as has been initially thought.

In the example below, we see Sekhahatyamun responding to an FTA from the Tribunal who presume he was involved in the robberies:

*Ex.31: P.BM EA 10052 8, 12-13*

*dd=f bpy=w dit n=i dnyt iw=w m-di=i n ih*

*He said, “They did not give to me a share. Why should they be in my debt?”*

Instead of simply denying his involvement, as so many others do in the corpus, Sekhahatyamun has explained why he knows about the robberies and what he saw the men involved in them doing. The Tribunal take this admittance of involvement and accuse him of being complicit in the robberies (See Ex.2). This is a direct face attack on Sekhahatyamun's social face as it implies that not only is he lying about having received silver, but also that he was involved in the robberies directly. Sekhahatyamun, therefore, is using the rhetorical question to fight back and use his own FTA against the Tribunal. He first repeats his earlier denial of having not received silver from the other thieves, to simply reiterate his innocence explicitly. This is followed by his use of the rhetorical question as a challenge to their presupposition. Sekhahatyamun is using it to imply to the Tribunal that they are wrong in their assumptions; since if he were to have been involved then he would have been in possession of the silver. The situation presented here is also unusual. Sekhahatyamun is introduced as a ‘servant of Paesenwese’, meaning the Tribunal outrank him considerably, yet he chooses to utilise a rhetorical question as

a means of defense. Considering the respective ranks of those involved, it would appear that Sekhahatyamun is not being deferential to his ‘superiors’ as would be the norm for this situation. If what we’re seeing here is an example of lack of deference to a higher ranked person in a position of power from someone who has a low social status, then it is possibly highlighting a wider social disconnect between the Egyptian people and their nobility.

Another example of rhetorical question usage comes from just a few lines from the example in the testimony of Sekhahatyamun. Carpenter Tjauenany has been brought before the Tribunal and asked the standard wh-interrogative, (*What is the story of your going which you did to (reach) the Great Places?*) and uses the rhetorical question to counteract the FTA the Tribunal use as his first response:

*Ex.32: P.BM EA 10052 8, 19-20*

*dd=f ptr(=i) t3 sb(3yt) i-ir n n3 it3w r h(3w) t3ty h<sup>c</sup>-m-w3s(t) y3 ih p3y=i šm r  
wh3 p3 m(w)t iw=i rh -sw*

*He said, “I saw the punishment which was done to the thieves in the day of the Vizier Khaemwese. Why I should go to seek out the death when I know it?”*

Unlike the FTA on Sekhahatyamun, the Tribunal presuppose here that Tjauenany is directly involved in the robberies and therefore his social face has been threatened by this accusation. In using this rhetorical question, Tjauenany puts it to the Tribunal that he could not have possibly committed the crimes because he had seen what had been done to thieves in the time of Khaemwese (a previous Vizier) and knows how bad the punishment was for them. In simplistic terms, Tjauenany is asking the Tribunal to contemplate the fact that he knows what punishment will befall him should he be found guilty of the robberies and therefore conclude that since he knows about these punishments he would not commit the crime of tomb robbery knowing the consequences. It would seem that the purpose of these rhetorical questions is not only to deny involvement in the robberies, but also to get the Tribunal to think about the accusations they are bringing against the accused, and whether or not they are accurate. These questions also seek to undermine the legitimacy of the information with which the Tribunal seek to question the accused. By doing so, the accused enact their own FTA on the Tribunal forcing them to either step up their questioning of the accused or to find them innocent of the crimes. However, this is not the only type of question that

the accused ask of the Tribunal. Again, what we see here is someone who has a low, yet highly skilled, social status, a carpenter, responding to the high social status Tribunal without due deference, which is not something we would expect from a trial context.

### 3.8.1.2. Defensive Questions

Another other type of question the accused ask of the Tribunal is the ‘defensive’ question, usually indicated by *iry.tw=f iḥ* at the beginning of the speech act. This phrase seems to have the connotation of “What is this?” or “Why?” when translated. It varies in use in the six instances of it across the TRP corpus, but it does seem to be an exclamation of confusion/defensiveness on the accused’s part when it is used. Defensive questions differ from the rhetorical questions as they seek an answer from the Tribunal, whether it is given or not, and deny involvement at the same time. As with the rhetorical questions, defensive questions seek to threaten the face of the Tribunal as they are used to call into question the validity of the accusations that are being made.

This example of a defensive question comes from the testimony of Slave Degay who is connected with the Bukhaaf group of robbers. He is linked to the robberies because he is owned by Bukhaaf and therefore the Tribunal suspect him of being involved as his master was:

#### *Ex.33: P.BM EA 10052 4, 16-18*

*dd=f bpy=i ptr iry.tw=f iḥ w<sup>c</sup> ḥd gm=f sw m-di ps-sntr ns-imn ḥn<sup>c</sup> n3 it3 wn i-r-m=f*

*He said, “I did not see it. What is this about (a haul of) silver? He found it in the possession of the Incense Preparer Nesamun and with the thieves who were with him.”*

The Tribunal’s FTA makes an attack upon his ‘face’, so his use of a defensive question here is an attempt to save face and provide the Tribunal with the correct information. By using the defensive question in conjunction with the denial phrase, he strengthens his denial about his involvement, making it explicit to the Tribunal that he was not involved in any way with the robberies. However, he does provide them with information as to who might be able to give them more information about the location of the silver that Bukhaaf stole by mentioning Nesamun (called Tjaybay) who is later questioned in the text. This defensive question can be seen as a FTA on the face of the Tribunal as he is directly challenging their authority to question him. It is not in the same manner as the rhetorical questions as it does not seek to challenge them

aggressively, but challenge them enough to reinforce his innocence. It is also interesting to note that this is someone who is identified as a Slave answering back to the Tribunal in a manner that does not show due deference to their high ranks. As noted already, his response challenges the Tribunal on their authority which is not something we would expect from someone identified as a Slave, and therefore this again might be an example of the disconnect between those of a higher status and their lower ranked counterparts.

This example is from P.Mayer A, but it is linked to Ex.33, as it is an example to come from Degay's master Bukhaaf who also appears in P.BM EA 10052. In context, Bukhaaf has been challenged by the Tribunal to explain to them why Butcher Pennesuttawy has claimed to have been with him when they robbed the tombs. Bukhaaf refutes this claim by asking the Tribunal two defensive questions:

*Ex.34: P.Mayer A 3, 25-26 – 4, 1*

*dd.ti n=f ih hr=k dd=f bn wn=f i-r-m=i iwn3 iry.tw=f ih ptr sw i-r-m imn-  
h<sup>c</sup>w s3 hri i-r-m ns-imn s3 <sup>c</sup>dd-i [...] iry.tw=f ih šm i-r-m=f bpy=f šm*

*He was asked, "What have you to say?" He said, "He was not with me. What is it about seeing him with Amenkhau son of Hori with Nesamun son of Adjy[...]? What about going with him? He never went."*

The first is borderline rhetorical, as it challenges the Tribunal to provide the evidence that Pennesuttawy was with the two other men whom Bukhaaf knows were involved in the robberies. It is a direct FTA on the authoritative face of the Tribunal, as Bukhaaf, having already admitted to robbery, knows who was in his group and therefore has the authority to reject the Tribunal's presuppositions. The second defensive question allows Bukhaaf to once again challenge the Tribunal as a form of 'but I did not go with him to the tombs' as Bukhaaf has already admitted to robbing the tombs and who he was with. The admittance of having robbed the tombs gives him the authority to challenge the Tribunal on their assumptions about who was with him. He is defensive of the information he has to provide them, and since he has been non-hostile when previously questioned, he has the ability to challenge them and make it authoritative. As with the last example, we seemingly have an example of someone of relatively low status not giving the deference to those of higher rank that would be expected in this context. If what we are seeing here is truly Bukhaaf's intent with his speech, then it is another example which shows us that some of those being examined

by the Tribunal are not as respectful as we might expect them to be, thus indicating a possible disconnect between those that are in power, and those who are not.

It would seem that defensive questions are not as forceful as rhetorical questions, as they do not have the same impact upon the negative face of the Tribunal. However, as demonstrated in the example above, the defensive questions allow the accused to question the authority of the Tribunal as they have more information than the Tribunal do about the robberies, provided they have admitted to being involved.<sup>97</sup>

### **3.8.2. What do These Questions Achieve?**

As stated above, there are several aspects of using these questions that allow the accused the ability to achieve a certain amount of active control of the discourse by using their information to sow seeds of doubt, thereby undermining both the authority and the 'face' of the Tribunal. In situational context, explored in section 3.2.3.6. we expect the Tribunal to be in control of the proceedings and for the accused to have little to no power given the severity of their crimes and the high rank of the Tribunal they are facing, but what has been evidenced above is that the accused are seemingly able to gain a little, and temporary, active control of the discourse with the Tribunal with the answers they choose to provide, particularly in the case of rhetorical and defensive questions. This negatively affects the Tribunal's authoritative face, as they are the ones who are supposed to be in control of the situation but the accused use the fact that they have this extra knowledge to their advantage.

The questions also allow those accused to question the Tribunal's presupposition of their involvement. Both the rhetorical and defensive questions reject the FTA of presupposition that the Tribunal has enacted on their own social face. By rejecting the presupposition with questions, it allows them to gain the upper hand in the interrogation where a simple denial phrase would not have worked. A denial phrase just denies the involvement in the robberies on behalf of the accused, whereas a defensive or rhetorical question allows them the opportunity to question the information that the Tribunal is using against them and therefore, in turn, use that information against the Tribunal themselves. As Limberg notes (2008: 160-161), defendants in modern interrogation rooms use manipulation of language and questions when speaking to the Police in order to gain the upper hand. It shifts the situational control of the discourse

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<sup>97</sup> Further examples of *irrelevant* questions can be found in P.BM EA 10383 1, 15-11 (Chapter 5 Ex.1), and P.Mayer A 9, 2-4.

temporarily into the defendants' hands, and this appears to be what is occurring when the accused ask these questions of the Tribunal.<sup>98</sup>

### **3.8.3. What Are the Linguistic Tactics That These Questions Employ?**

Understanding why the accused choose to use these types of questions in their testimonies and how they use linguistic tactics within them, is vital to understanding how they were attempting to change the direction of the discourse to one that is in their favour.

#### **3.8.3.1. Aggression as a Form of Objection**

Bousfield (2008a: 78-79) notes that aggression can sometimes be seen as a form of objection to an attack on the face of a person when that person becomes frustrated with an incident or with a person. Jay (1992: 98) defines an offending event as follows:

*'The major elements of the offending event involve the person or event that evokes the anger and the social-physical location of the event. These factors amount to the who, what, where, and when of anger. What provokes anger can vary from person and from time to time.'*

As seen in Section 3.2.3.2., Ridealgh (2013b: 33-34) demonstrates through the use of the LRL the interaction between Dhutmose and Nesamunope when Dhutmose expressed his frustration and anger that Neamunope has failed to do the tasks he was set. Utilising language such as *'What is the use of speaking to you, if you do not listen...'* is a clear FTA on Nesamunope's face, and a clear sign of Dhutmose's objection to the way in which Nesamunope is conducting himself.

For the TRP corpus, the situation whereby objection is provoked is quite clear. The Tribunal enacts a FTA on the accused in the courtroom, which prompts the accused into offensive action. This is precisely what is happening when the accused respond to the FTA on their face. In the case of Bukhaaf (Ex.34) he has become frustrated with the information the Tribunal thinks they have against him, when he knows that their information is incorrect and he wishes to correct it for them. By using this form of objection with their questions, the accused can enact their own form of FTA on the Tribunal by rejecting their authority and the information they are using to try those accused.

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<sup>98</sup> While the torture and the death penalty do not occur in the UK or Europe, there are many countries in the modern world where they still exist, therefore we can compare modern interrogation techniques with ancient ones to a certain extent.

### **3.8.3.2. Deflecting Attacks on 'Face' While Saving 'Face'**

Another tactic employed by the accused when asking these questions is the use of challenges that allow the accused to save face, while also attacking the face of the Tribunal. Bousfield notes (2008a: 132) that challenges always come in the form of questions that are impolite and thus cause negative and positive face damage to the recipient of the question. This is exactly what happens when the accused use the questions as part of their defence. The Tribunal's presuppositions have attacked their face so their only option is either to defend themselves with denials or to challenge the information that has been brought against them. In this case, those accused choose to challenge this information through asking rhetorical or defensive questions. Exs 31 and 35 show this challenge, as both examples seek to question the information that has been brought against them and attack the authoritative face of the Tribunal at the same time. This would switch the power balance temporarily in order for the accused to get the defence of their actions across without them being refuted.

### **3.8.3.3. Becoming a Hostile Witness**

Another tactic that these questions employ is that of allowing the accused to temporarily become hostile witnesses before the Tribunal. The situational norm for a trial would be that the Tribunal would have active control of the discourse and the accused would capitulate to all the demands made of them. However, the accused's use of questions to become hostile in the situation temporarily inverts this social norm as they challenge the authority of the Tribunal to be able to question them and the legitimacy of the evidence with which they are using to interrogate and charge them. We see in several examples that this 'hostility' is coming from those accused whose social status is far lower than that of the Tribunal. Chapter Two established that the Tribunal are composed of some of Pharaoh's closest officials and the accused are often of a much lower social status, so with this in mind it would be expected that the accused would respect the authority of the Tribunal. However, there is unexpected and marked 'hostility' coming from the accused in some cases, and this perhaps shows a disconnect between the authorities and the people to the extent that some people no longer respect the power of the state. In some cases, this 'hostility' allows the accused to gain the upper hand in the interrogation and temporarily hold control of the situation, as they have more information to give, if using a defensive question, or have a challenge to the information brought against them, if using the rhetorical question type. The Tribunal at this point would have to listen to the new information/challenges to their authority until the accused had finished their speech. However, even though the

Tribunal has had an FTA and challenges enacted upon them by the defendants, and have been 'wrong footed' by the accused, it does not mean that they do not benefit from the accused's actions. In the examples above, new information is imparted to them in every challenge brought against them by the accused. This new information would prove useful to them when they were interrogating others as it has come directly from the mouths of those accused who were hostile who wanted the Tribunal to know of their innocence, so therefore the Tribunal would know that this information is more accurate than most.



# Chapter Four: The Accused's Denial Strategies

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## 4.1. Introduction

Chapter Three revealed that questions posed by the Tribunal were utilised in such a way as serve both micro and macro purposes when interrogating the accused i.e. forming a general overview of the circumstances of a particular robbery, to pinpointing a person's role in the thefts. It was shown that these questions often had functions such as being controlling of the responses the Tribunal would like the accused to give, undermining them through the use of impoliteness, and presupposing an accused's guilt. Of course, the Tribunal are not the only participants within the discourse, and it is vital that the role of the accused's responses is assessed. There are two distinct types of answer from the accused; an 'acceptance' answer whereby the accused accepts involvement and provides full details, and a denial response whereby the accused attempts to disprove/refute their involvement. Chapter Five will be concerned with the 'acceptance' answer responses, while this chapter will assess the use of denial, with the specific aim of determining:

- The types of response given by those accused when questioned by the Tribunal, and their frequency (i.e. repeated use of certain types of phrase).
- The usage or primary function of each type of denial (e.g. to deny being present, or to deny having seen anything to do with the robberies) to assess how the accused are going about their own defence.
- The use of focus constructions, such as the Pseudo cleft, to deny involvement.
- The role of implication, and attempts to 'gain active control' in discourse in order to make their case for innocence.

The variety of ways the accused seek to deny their involvement in the robberies, which range from emphatic denials to extensive arguments and the number of testimonies from which information on these denials can be gathered and analysed in ways it has not been previously, must be covered. It is the aim of this chapter to deconstruct the denial occurrences in order to better understand not only the way in which these thieves went about defending themselves from the FTAs brought against them by the Tribunal, but also to show just how they defended themselves in the way they did. This chapter will continue to utilise Archer (2005), as has been done with the

aims and strategies of the Tribunal in Chapter Three, but will incorporate some of the same methodology utilised in the previous chapter and apply it to the answers of the accused.<sup>99</sup>

## 4.2. Methodology

The accused use varying forms of linguistic forms in their denials that not only emphatically deny their involvement in the robberies they are presupposed to have committed, but also give indirect or implicit meaning that the Tribunal might notice. However, as modern readers, we must look for linguistic clues in order to gather the same meaning. These clues come in the form of; focus constructions such as the pseudo cleft, cleft sentence, or second tense; the flouting of linguistic maxims such as those found in Gricean theory; and the way in which the Tribunal and accused interact with one another through Superior/Subordinate relationships. Negative instances in testimonies in conjunction with the accused's explanations will also be looked for, and catalogued, in order to find out which types of denial occur most often in the corpus. It is these implicatures that form the basis of this chapter.

### 4.2.1. Subordinate/Superior Interplay

Sweeney notes (2001: 100), in her work on the pragmatic features in Late Egyptian Letter writing, that when a Subordinate addresses a Superior in modern linguistic terms they are more likely to use implicature or suggestion to attempt to persuade the superior of their position/stance or to be thought well of and perhaps this holds true for the Egyptian record. Ridealgh (2013a: 192) discusses this Superior/Subordinate relationship in terms of 'face' (See Chapter Three) and how the use of 'politer' language such as implicature or suggestion helps maintain 'face'. An example of this can be seen in a letter between Piankh and Dhutmose, where Piankh quotes a line from Dhutmose about the work that's been done:

*P.BN 197 III (=LRL no.18), 4-5*

*p3 h3b i-ir=k r-dd iry=i r-r wpwt nb shnw nb n p3y=i nb nty r-iwd=i bn tw=i  
nn i-n=k sw m šs p3 i-ir=k i-ir=k m-mitt m-dwn sp sn*

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<sup>99</sup> Archer's investigation into the responses of defendants predominantly focuses on the number of times they interact with each member of the EmodE courtroom throughout the corpus. As this is not the aim of this chapter, the focus will continue to be upon the use of pragmatics in their responses.

*'As for you having sent word saying 'I have carried out every task and all the commissions of my lord, which are my responsibility: I am not idle', so you said. It is all right, what you have done. You should henceforth act the same way!'* (Ridealgh, 2013: 192)

While we do not have Dhutmose's original letter, we can see that Piankh has quoted part of it in his response to Dhutmose. It is clear that Dhutmose is explicitly informing Piankh of the work he has been doing in Piankh's absence, and clearly wants him to know that he has not been unproductive. It may be that previous to this Dhutmose did not carry out all the tasks Piankh asked of him and was reproached, an example of this was seen in Section 3.2.3.2, and therefore by stating that he has done all tasks on this occasion he is implicitly seeking the acknowledgement and praise of his Superior. It is evident that Dhutmose receives this as Piankh informs him that what he has done is good, and he must continue to behave in this way.

The accused in the TRP behave towards their Superiors in a similar manner to Subordinates in the LRL, but the evidence gathered suggests that the LRL appease their Superiors in order to be thought well of; to save 'face'. The accused of the TRP, however, seem to use implicature in the form of focus constructions to 'correct' the Tribunal on their presuppositions while trying to defend themselves.

Lakoff (1975: 41-42) suggests that there are two benefits to indirectness in conversational implicature, rapport and defensiveness, the latter of which is highlighted greatly in the tomb robbery corpus. Defensiveness could be said to be used by the speaker as having a preference to save social face or not go on record as having said something that could be detrimental to their position (Tannen, 1993: 173). As discussed in Chapter Three,<sup>100</sup> in many cultures it is more likely that a Superior will use indirectness when speaking to a Subordinate as that is seen as more 'polite' and therefore the Subordinate is more likely to perform the task, rather than if the task is demanded of them (Tannen, 1994: 84). However, Subordinates also use it in order to address their Superiors without overstepping their boundaries. Generally, if a Superior feels that a Subordinate is being too direct then it is unlikely that the Subordinate will get what they want. However, if the Subordinate uses indirectness and suggestion to address the issue with their Superior then it is more likely that the Superior will acquiesce (Thomas, 1995: 124-125). It is this type of indirectness to Superiors, using

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<sup>100</sup> Section 3.2.2.

implicature, which the accused use when speaking to the Tribunal. Frequently, we can find an accused in the TRP using focus constructions in order to gain active control in the discourse that will allow them to defend themselves against the Tribunal's accusations.

#### **4.2.2. Repeating Denial Phrases**

Repeating denial phrases are evaluated in order to ascertain to what level the texts are based on actual recorded speech of the accused, and how much is standardised writing modification by the scribe. This particular section will not be looking at the use of focus constructions, such as the pseudo cleft, used by the accused in conjunction with the denial phrase, but merely the negative phrase instances where the accused explicitly deny their involvement in the robberies and what phrases they use to do this. The texts that contain testimonies will be analysed to see what types of phrases occur and then tables will be made from this data so that the most common can be identified in each text. This may also help address the issue of 'scribification' within the texts. One factor that leads to the belief that the TRP are heavily edited is the repeating of certain phrases (Culpeper and Kytö, 2000: 59; Hiltunen, 1996: 21), like the ones identified in this thesis, and this chapter aims to look into how these phrases are being used by the accused in their testimonies. In doing so, these phrases may be shown to be the evidence of 'scribification' or be shown to be varied enough that we cannot rule out the accused having uttered them.

Ultimately, a clearer picture of how those accused build their defence i.e. where particular phrases occur, how this affects the strength of the denial being given from the accused, and how it affects the given testimony can be gained.

#### **4.2.3. Gricean Theory**

In addition to the use of indirectness, the accused regularly flout the maxims of Quantity and Relation when they address the Tribunal's questions. Gricean theory put forward by H.P. Grice preliminary in *'The Casual Theory of Perception'* (1961, 121-153) and more substantial in *'Logic and Conversation'* (1975; 41-58), addresses the use of four conversational maxims in what he terms 'the Cooperative Principle.' These maxims are ones that should be observed in conversation so that the dialogue flows easily. Of course, dialogue in the TRP does not flow freely due to the nature of where the discourse takes place, so the flouting of maxims will be more relevant to this investigation. The maxims are as follows (Grice, 1975: 45-46):

- Quantity
- Quality
- Relation
- Manner

In addition, each maxim has its own set of conversational implicatures that one should follow in order to achieve clarity in conversation. These are as follows (Grice, 1975: 45-46; Thomas, 1995: 63; Horn, 2006: 7):

- Quantity:
  - Contribution should be as informative as is required (for the current conversation).
  - Do not contribute more information than is strictly necessary.
- Quality:
  - Do not say what you believe to be false.
  - Do not say something for which you lack evidence.
- Relation:
  - Be relevant
- Manner:
  - Avoid obscurity of expression
  - Avoid ambiguity
  - Be brief
  - Be orderly

Of course, these conversational maxims, and the conversational implicatures attached to them, are frequently flouted in every day conversation as, with most speakers who are familiar with one another, implicature can be used in place of a full statement and there is overlap between maxims (Grice, 1975: 49). If maxims are flouted then the speaker is generally thought to be obscuring or holding something back from the hearer deliberately (Thomas, 1995: 64-65). For example, if one colleague were to ask another ‘How was your weekend?’ the expected reply would be one that would abide by the maxim of Quantity by not saying too much (‘It was rubbish. We were going to visit the National park, but the car broke down and...’) or too little (‘Fine.’). The expected answer, and one that would follow the maxim, would be ‘It was great, thanks!’ as it would answer the question, without being too long or too brief, and thus allows further questions should the asker desire to pose them. This is the case with many of the interactions contained within the TRP, in particular P.BM EA 10052, where the accused use conversational maxims and implicature to seemingly withhold information from the Tribunal as a means of their own defence. In conjunction with the focus constructions,

each instance will be examined to ascertain whether it does or does not flout the maxims of Quantity and Relation in order to get what they want.

### **4.3. Presupposition**

As already mentioned in Chapter Three (3.4), the notion of presupposition and FTAs on behalf of the Tribunal is key to understanding a great number of the denial examples found in the TRP corpus. Much of the Tribunal's questioning and the accused's responses to this questioning rely on accepting or rejecting the presuppositions/FTAs held about the accused's involvement in the robberies.

The Tribunal often presupposes that the accused is already guilty of robbing the tombs. It is by using such things as denial phrases and focus constructions, such as the second tense, pseudo cleft, and cleft sentence that the accused are able to reject these presuppositions and substitute what they believe to be the correct version of events. This is known as defeasibility or cancelability (Huang, 2007: 68) and is one of the most important properties of Presupposition from the point of view of someone who has had presupposition enacted upon them. As with most linguistic forms, there is always an alternative view to it i.e. it is something or it is not something. This is the case with Presupposition as it can be cancelled out or disappear in the face of inconsistency in the background, which led to the assumptions, or in light of new evidence (Huang, 2007: 69; Atlas, 2006: 35). Presupposition is also contextually cancellable, as if the context of the discourse runs differently to how it was intended to, i.e. someone provides new information, then it causes the presupposition to evaporate (Huang, 2007: 70). This is true for the denial examples, particularly the focus constructions, whereby the accused use defeasibility/cancelability/contrastive supplementation in order to reject the Tribunal's presuppositions and provide them with better answers to their questions. Most examples will accept that part of the presupposed notion is in fact accurate, and in the TRP corpus, this is usually that they did in fact rob from the tombs, though this is not always the case. However, the point of the defeasibility/contrastive supplementation is to accept that some part of the presupposition is true while on the other hand to provide new information as to why they might have done what they did.

#### 4.4. Types of Repeating Denial Phrase

Before we deconstruct the denial instances, we must first properly analyse how many instances of specific types of denial/explanation, such as *bpy=i ptr*, occur in the TRP in which we have recorded testimonies and why these might occur in specific texts. Archer (2005: 223-244) utilises tables as a means of demonstrating the range of answers provided by the accused in their interactions with members of the EmodE courtroom. It seemed apparent that this was the best course of action when beginning to analyse the texts of the TRP. Of course, this corpus does not have the same number of participants within the discourse as the EmodE courtroom, so tables will be limited to showing responses given by the accused in reply to the Tribunal. Analysis was first done on P.BM EA 10052 (Table 1), as this is one of the largest texts in the corpus, contains the most diverse testimonies, and would therefore contain the most wide-ranging types of denial. This was followed by analysis of P.Mayer A, P.BM EA 10054, P.BM EA 10053 (v), P.BM EA 10383, P.BM EA 10403, and P.Leopold II Amherst. All types of response, including ‘acceptance’ answers,<sup>101</sup> which fall into the ‘Explanation’<sup>102</sup> category, were recorded. The results were as follows:<sup>103</sup>

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<sup>101</sup> Those accused who make no denial, and tell the story of how they robbed the tombs to the Tribunal.

<sup>102</sup> ‘Explanation’ can either be an accused’s explanation of why they are not guilty, or the explanation of how they went to rob the tombs. While ‘acceptance of guilt’ is not being assessed in this chapter, it is important to note it down as a response type alongside the denials to demonstrate the range of response.

<sup>103</sup> As with the examples of questions in Chapter Three, and due to the limitations of this study, not every example of a denial phrase can be shown and analysed. Therefore, for the sake of clarity and inclusion, in each table, by the number of examples given, will be a footnote reference that lists every instance of a particular phrase, and each reference is included in the index at the end of the thesis.

Table 1:

**P.BM EA 10052**

<i>Denial Type</i>	<i>Number of Occurrences</i>
<i>bpy=i ptr (gr)</i>	13 <sup>104</sup>
<i>bpy=i dg3s n3 swt/bpy=i dg3s t3y st m</i> <i>rdwy=i</i>	2 <sup>105</sup>
<i>bpyt=i d3y=w</i>	1 <sup>106</sup>
<i>bpy=i ptr ht nbt</i>	2 <sup>107</sup>
<i>bpy=i ptr nty nb (gr)</i>	6 <sup>108</sup>
<i>bpy=i ptr m irt</i>	1 <sup>109</sup>
<i>bpy=i ptr + explanation</i>	2 <sup>110</sup>
<b>Explanation</b>	17 <sup>111</sup>
<i>ṣd3</i>	1 <sup>112</sup>
<i>w3 r=i w3 r ḥṣ=i</i>	6 <sup>113</sup>
<i>b(w)py=i šm</i>	2 <sup>114</sup>
<i>m ir g3/bn m3ṣt iwn3</i>	1 <sup>115</sup>
<i>w3ḥ imn w3ḥ p3 ḥk3</i>	3 <sup>116</sup>
<i>imi in.tw rmt mtw=f sṣḥṣ=i/imi in.tw rmt</i> <i>iry=f sṣḥṣ=i /imi in.tw rmt r sṣḥṣ=i</i>	6 <sup>117</sup>

<sup>104</sup> 4.1, 7.14, 8.20-21, 9.5, 10.14, 11.3, 11.5, 11.6, 12.16, 14.16, 14.17, 14.18, 16.2

<sup>105</sup> 1.14-15, 7.7

<sup>106</sup> 13.3

<sup>107</sup> 4.11, 4.12

<sup>108</sup> 5.8, 5.16, 6.13, 8.16, 8.24, 10.9, 11.18

<sup>109</sup> 12.20

<sup>110</sup> 11.6, 11.18,

<sup>111</sup> 1.6-2a.14, 3.1-21, 3.22-4.5, 4.6-14, 4.15-5.1, 5.4-24, 5.26-6.13, 6.14-21, 7.2-8, 7.9-17, 8.2-16, 8.17-26, 10.1-10, 12.1-11, 12.22-27, 13.1-9, 14.11-18

<sup>112</sup> 5.22

<sup>113</sup> 4.8, 8.4, 11.2, 11.11, 11.15, 15.23

<sup>114</sup> 10.4, 16.19

<sup>115</sup> 11.21

<sup>116</sup> 2.15, 13.12, 14.23

<sup>117</sup> 12.10-11, 12.26-27, 13.8, 14.5, 15.2-3, 15.7-8



Table 2:

**P.Mayer A**

<i>Denial Type</i>	<i>Number of Occurrences</i>
<i>bpy=i ptr (gr)</i>	16 <sup>118</sup>
<i>bpy=i ptr nty nb</i>	0
<i>bpy=i ptr m irt=i</i>	1 <sup>119</sup>
<i>bpy=i ptr + explanation</i>	2 <sup>120</sup>
Explanation	20 <sup>121</sup>
<i>ʕd3</i>	3 <sup>122</sup>
<i>w3 r=i w3 r hʕ=i</i>	0
<i>b(w)bpy=i šm</i>	1 <sup>123</sup>
<i>m ir g3/bn m3ʕt iwn3</i>	0
<i>w3h imn w3h p3 hḳ3</i>	0
<i>imi in.tw rmt mtw=f sʕhʕ=i/imi in.tw rmt iry=f sʕhʕ=i /imi in.tw rmt r sʕhʕ=i</i>	6 <sup>124</sup>

<sup>118</sup> 3.19, 3.22, 4.17, 4.19, 5.18, 6.16, 6.25, 8.6, 8.8, 8.19, 9.21, 9.23, 9.25, 10.11, 10.13, 10.25

<sup>119</sup> 9.11

<sup>120</sup> 4.17, 4.19

<sup>121</sup> 1.8-20, 1.21-24, 2.1-9, 2.10-16, 2.17-21, 3.1-6, 3.25-4.14, 5.1-8, 5.9-12, 6.3-14, 6.14-19, 6.20-25, 7.1-3, 8.10-15, 8.25-26, 9.A-4, 9.13-14, 9.15-19, 10.2-8, 10.18-20,

<sup>122</sup> 3.22, 4.17, 5.18

<sup>123</sup> 5.19

<sup>124</sup> 4.14, 8.18-19, 8.23-26, 9.6-7, 9.25, 10.26

Table 3:

**P.BM EA 10403**

<i>Denial Type</i>	<i>Number of Occurrences</i>
<i>bpy=i ptr (gr)</i>	3 <sup>125</sup>
<i>bpy=i ptr nty nb (gr)</i>	1 <sup>126</sup>
<i>bpy=i ptr + explanation</i>	0
<i>Explanation</i>	2 <sup>127</sup>
<i>ḥd3</i>	1 <sup>128</sup>
<i>w3 r=i w3 r ḥḥ=i</i>	0
<i>b(w)py=i šm</i>	0
<i>m ir g3/bn m3ḥt iwn3</i>	0
<i>w3ḥ imn w3ḥ p3 ḥk3</i>	0
<i>bpy=i ptr nty nbt hnwn=i wn iw=i dd=f</i>	2 <sup>129</sup>
<i>n rmt iw=f sḥḥ=i</i>	1 <sup>130</sup>

<sup>125</sup> 3.14, 3.16, 3.17

<sup>126</sup> 3.20-21

<sup>127</sup> 1.9-2.5, 3.5-3.8,

<sup>128</sup> 3.14

<sup>129</sup> 3.29, 3.31

<sup>130</sup> 3.15

Table 4:

**P.BM EA 10053 (v)**

<i>Denial Type</i>	<i>Number of Occurrences</i>
<i>bpy=i ptr gr</i>	0
<i>bpy=i ptr nty nb</i>	0
<i>bpy=i ptr + explanation</i>	0
<b>Explanation</b>	3 <sup>131</sup>
<i>ᵑd3</i>	0
<i>w3 r=i w3 r ḥᵑ=i</i>	0
<i>b(w)py=i šm</i>	0
<i>m ir g3/bn m3ᵑt iwn3</i>	0
<i>w3ḥ imn w3ḥ p3 ḥk3</i>	0

Table 5:

**P.BM EA 10383**

<i>Denial Type</i>	<i>Number of Occurrences</i>
<i>bpy=i ptr gr</i>	0
<i>bpy=i ptr nty nb</i>	0
<i>bpy=i ptr + explanation</i>	1 <sup>132</sup>
<b>Explanation</b>	0
<i>ᵑd3</i>	0
<i>w3 r=i w3 r ḥᵑ=i</i>	0
<i>b(w)py=i šm</i>	0
<i>m ir g3/bn m3ᵑt iwn3</i>	0
<i>w3ḥ imn w3ḥ p3 ḥk3</i>	0

<sup>131</sup> 2.14-19, 3.1-5, 3.6-22,<sup>132</sup> 1.4-3.7

Table 6:

**P.BM EA 10054 (r+v)**

<i>Denial Type</i>	<i>Number of Occurrences</i>
<i>bpy=i ptr gr</i>	0
<i>bpy=i ptr nty nb</i>	0
<i>bpy=i ptr + explanation</i>	0
<i>Explanation</i>	4 <sup>133</sup>
<i>ᵑd3</i>	0
<i>w3 r=i w3 r ḥᵑ=i</i>	0
<i>b(w)py=i šm</i>	0
<i>m ir g3/bn m3ᵑt iwn3</i>	0
<i>w3ḥ imn w3ḥ p3 ḥk3</i>	0

Table 7:

**P.Leopold II Amherst**

<i>Denial Type</i>	<i>Number of Occurrences</i>
<i>bpy=i ptr gr</i>	0
<i>bpy=i ptr nty nb</i>	0
<i>bpy=i ptr + explanation</i>	0
<i>Explanation</i>	1
<i>ᵑd3</i>	0
<i>w3 r=i w3 r ḥᵑ=i</i>	0
<i>b(w)py=i šm</i>	0
<i>m ir g3/bn m3ᵑt iwn3</i>	0
<i>w3ḥ imn w3ḥ p3 ḥk3</i>	0

<sup>133</sup> Recto: 1.3-12, 2.1-16, 3.1-17 Verso: 1.4-9

P.BM EA 10052 (Table 1) demonstrates the diverse nature of denials found in the TRP. The primary method of addressing the Tribunal in this text appears to be one of explaining the way in which the accused went to rob the tombs. When the Tribunal asks the accused how they went to rob the tombs, they respond with almost full accounts of how they and their companions robbed the tombs, hid the silver, and divided it up. In some of these accounts the denial comes at the end of the explanation with phrases such as *bpy=i ptr nty nb (gr) 'I did not see anything else'* being used to end their testimonies, but this will be explained further in section 4.5.2. These explanation testimonies tend to come at the beginning of the text rather than towards the end. It would appear that the Tribunal were systematically going through those accused by starting with those whom they could prove had been involved in the robberies<sup>134</sup> and ending with those of which they were less certain. This is perhaps why we see many of the *bpy=i ptr* and other examples occurring towards the end of the document rather than at the beginning. The *bpy=i ptr* examples come in various forms, with some simply stating that they 'did not see.' and others stating the same but elaborating further by stating either what they did see, by way of explanation, or simply stating 'I did not set foot in the tombs.'

With P.Mayer A (Table 2) there is a similar split between explanation and *bpy=i ptr 'I did not see'* denial examples, as there is in P.BM EA 10052. As P.Mayer A is a companion text to P.BM EA 10052, many of the accused questioned in the latter appear in the former, there are a great number of testimonies that simply explain how the accused went about robbing the tombs rather than explicitly denying all involvement. This is not to say, however, that these testimonies do not in some way seek to deny their involvement in some part of the robberies upon further examination, but their testimonies overall explain the steps they took to rob the tombs. The frequency with which these occur in P.Mayer A is far higher than that of P.BM EA 10052. It appears that the Tribunal in P.Mayer A is more certain of the guilt of those they are examining than those in P.BM EA 10052. Since P.Mayer A follows on from P.BM EA 10052 in terms of the accused brought forward for examination, many of the accused seen in this papyrus have been brought previously in P.BM EA 10052 so the Tribunal already know of their guilt. If they are to be questioned again about other robberies they may have committed, having already been found guilty, then the thieves are more likely simply to

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<sup>134</sup> Namely those of the Bukhaaf group who also appear in the depositions found in P.Mayer A (3.22, 3.23, 4.15 & 9.9). A more detailed table of these instances can be found in Chapter Five.)

confess their guilt rather than deny it. Conversely, there are *bpy=i ptr* 'I did not see' examples but just like P.BM EA 10052 these come towards the end of the text or at the end of testimonies where the accused has nothing more to add. One instance that occurs in P.Mayer A and P.BM EA 10052, but not in other papyri in this corpus, is the phrase *imi in.tw rmt mtw=f s<sup>c</sup>h<sup>c</sup>=i* 'Let (someone) be brought to accuse me.' and its slight variations. While not strictly a denial, it challenges the Tribunal to bring someone to prove that the accused is guilty, thus confirming the accused as defending their position of innocence. These instances also come towards the end of the text, which might suggest that these men did not have anything to do with the robberies.

P.BM EA 10403 (Table 3) is significantly shorter than both P.BM EA 10052 and P.Mayer A, but still contains enough denial examples to analyse. There are fewer 'explanation' examples, which seems to indicate that the accused brought before the Tribunal wished to deny their involvement outright, rather than explain to the Tribunal why they might think the accused was involved as we see with other examples in P.BM EA 10052 and P.Mayer A. The *bpy=i ptr* + explanation is absent in this text, unlike P.Mayer A and P.BM EA 10052, with those accused seeming to prefer deny their involvement without explanation as to why. This denial example is an expansion on the general *bpy=i ptr* as it allows the accused to not only deny their involvement, but also to explain how they could not have been involved in an attempt to prove their innocence. It may lend itself to the fact that P.BM EA 10403 is one of the later papyri but still connected to P.Mayer A through its content (Peet, 1930: 169), with this being said, it is likely that these men are the later examinations of those connected to P.Mayer A, and therefore their testimonies would be more concise than others would.

P.BM EA 10053 (v) (Table 4), P.BM EA 10383 (Table 5), P.BM EA 10054 (r+v) (Table 6), and P.Leopold II Amherst (Table 7) all only contain explanation examples.<sup>135</sup> P.BM EA 10053 (v) is a detailed account of some of the robberies on the West Bank that does not follow the same question and answer format as texts such as P.BM EA 10052. Instead, it more closely follows the structure of P.Leopold II Amherst, with several long and detailed explanations as to how the accused robbed the tombs, and what it was that they took. There is no real denial here just simple explanation of how the tombs were robbed. This is also the case for P.BM EA 10054,

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<sup>135</sup> The *bpy=i ptr* + explanation example from P.BM EA 10383 is included in this set, as the denial only occurs once and the explanation given is as long as many other explanation/acceptance answers.

and P.Leopold II Amherst, where the accused simply confess the nature of their crimes and how they went about it without any denial involved in their testimonies. P.BM EA 10383 is different in the sense that the accused does deny his involvement, but provides a very long and detailed explanation as to who the accused know was involved and what they did.

#### 4.5. Deconstructing Denial Examples

One thing to be taken into account when deconstructing these examples is how much the scribe recording these testimonies has adapted the text for ease of his own writing and how much still is precisely what the thieves originally said in their testimonies. As explored in Chapter One (1.4), there appears to be some degree of ‘scribification’, or scribal editing of the TRP. It would indicate that these texts are possibly further ‘neat’ copies of original trial transcripts in some cases, particularly where there is heavy usage of formulaic language, and the inserting of full titles of the accused. Indeed, Parkinson (2009: 92-93 & 120-121) states that scribes are not writing continuously, and in fact have to keep re-dipping their “pen” as the ink runs out, so writing speed can only be a few words per minute, therefore we must assume that a scribe in this case would not be writing verbatim. However, the texts also seem to show use of particular constructions, such as the focus constructions, in the speech of the accused that should not be present if these texts were merely a summary of events. So therefore we must take both interpretations into account when looking at the data.

In Section 4.4, it was shown that there are phrases that repeat continuously throughout several texts in the corpus. This is demonstrated in the tables above, which detail the number of times certain phrases or types of denial instance occur and is particularly prevalent in P.BM EA 10052 (Table One) and P.Mayer A (Table Two) with *bpy=i ptr*, and variants of the phrase, occurring most often. *bpy=i ptr* is one of the more interesting examples of denial that we have from the TRP corpus. The accused frequently use *bpy=i ptr* in their testimonies either as a way of straightforwardly denying their involvement in the robberies:

##### *Ex.1: P.BM EA 10052 10, 13-14*

*dd n=s t3ty ih p3 shr p3y h3d i-in[p3]y=t h3ym n3 swt 3yt dd=s bpy=i ptr*

*‘The Vizier said to her “What is the story of this silver which your husband brought away from the great places?” She said, “I did not see.”’*

Alternatively, it can appear in the middle or at the end of their testimonies to attempt to persuade the Tribunal that they have no more to add:

*Ex.2: P.BM EA 10052 7, 14*

*irw smtr=f m b-d-n dd=f bpy=i ptr gr*

*‘He was examined with the stick. He said, “I saw nothing else.”’*

The above example seems to be paraphrased, and a is possibly a sign of the ‘scribification’ of the document. This is likely due to the fact that the accused seem to have been beaten at the command of the Tribunal if they failed to provide an answer that was satisfactory, therefore the Scribe recording the proceedings possibly would have paraphrased this for brevity. However, even though the above example has been shortened, we cannot rule out the phrase *‘I saw nothing else’* just as dialogue inserted by the Scribe to paraphrase what was actually said by the accused. It is entirely possible that an accused could have uttered this phrase, as when modern defendants are confronted about their crimes they often reply with *‘I did not see’* or a very similar variant. This being said, the former scenario is more likely than the latter in this instance.

Another phrase that occurs with some frequency is *w3 r=i w3 r h<sup>c</sup>=i* *Far from me. Far from my body!*, which the accused use to distance themselves from the tombs, or the accusation, physically. The phrase itself only occurs six times within P.BM EA 10052, and does not occur in any other text in the corpus making it unique. Unlike *bpy=i ptr*, *w3 r=i w3 r h<sup>c</sup>=i* occurs at the beginning of each testimony as the initial statement that the thieves make. The thieves use this phrase to distance themselves physically from the tombs on the West Bank and to subvert the Tribunal’s presuppositions about their involvement. It is possible that this type of denial phrase could be the work of the scribe writing up the document, and therefore a phrase that does not reflect what was said by the accused in their testimony. Since it does not have any variations, unlike *bpy=i ptr*, it is more likely that the phrase has become somewhat standardised, and is used by the scribe when the accused stated that they had never been near the tombs themselves. The explanation that comes after *w3 r=i w3 r h<sup>c</sup>=i* in each testimony is less likely to be doctored by the scribe<sup>136</sup> as this information is unique to each accused.

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<sup>136</sup> Though it may be summarised in some cases.



The same can be said for the denial phrase *imy in.tw rmt mtw=f s<sup>c</sup>h<sup>c</sup>=i* 'Let (someone) be brought to accuse me'<sup>137</sup> and its variations. This particular phrase occurs only eleven times within the corpus and all instances appear in either P.Mayer A or P.BM EA 10052. As stated previously, phrases that occur frequently tend to come towards the end of the examinations in the papyrus, and in this case it is no different. Nearly all examples of *imy in.tw rmt mtw=f s<sup>c</sup>h<sup>c</sup>=i* are found towards the end of both P.Mayer A and P.BM EA 10052,<sup>138</sup> leading to the theory that these testimonies were of men and women who were called before the Tribunal but their guilt was not assured. The way in which the thieves defend themselves using this phrase would suggest that they were challenging the Tribunal to find them guilty whereas other testimonies, earlier in P.Mayer A and P.BM EA 10052, are far more straightforward explanations of involvement.

Finally, the phrase *w3h imn w3h p3 hk3* 'As Amun lives, as the ruler lives' occurs three times in P.BM EA 10052: at the beginning in the testimony of Bukhaaf, and towards the end of the text on pages thirteen and fourteen. The infrequency of this particular phrase might lend itself to being actual recorded speech rather than scribal editing. This is because this particular phrase was a common type of oath to swear in innocence<sup>139</sup> in legal texts, and is attested from the 18<sup>th</sup> Dynasty onwards (Gardiner, 1957: 164; Wilson, 1948: 135). What is unusual is that it is not the standard oath taken by the thieves. Lorton (1977: 32) notes that even the standard oath (*If I speak falsehood may I be mutilated and sent to Kush*) has a number of variations, which he himself states are 'sporadic and seem to represent emotional outbursts'. Therefore, it is possible that this could be something that the thieves said, however, since this is well attested in other legal texts as a standardised oath we cannot say this for certain. Each example varies in terms of its explanation of what the accused is claiming innocence of after the use of the denial phrase

<sup>137</sup> With this particular phrase, sometimes a person is mentioned by name, and sometimes only as 'someone'.

<sup>138</sup> With the exception of P.Mayer A 4.14

<sup>139</sup> Like modern day 'On my mother's grave.' or 'I swear to God.'

### 4.5.1. Denial Strategies

This section will be primarily focused on where each denial example tends to occur and how this influences the strength of the denial being used by the accused. The accused's usage of grammatical and linguistic instances, primarily found in the 'explanation' type of denial, will be discussed in Section 4.6, as they require their own particular analysis.

For this particular section, the four phrases mentioned above will be looked at in terms of where they appear in the text and how this reflects on their usage. These four phrases, *bpy=i ptr* and variants, *w3 r=i w3 r ḥe=i*, *imy in.tw rmt mtw=f ṣḥe=i* and its variants, and *w3ḥ imn w3ḥ p3 ḥk3*, have been chosen as they are the ones that occur with most frequency, and therefore will provide the best examples for illustrating denial usage.

### 4.5.2. *bpy=i ptr*

The phrase *bpy=i ptr*, and its variants,<sup>140</sup> occurs frequently in both P.BM EA 10052 and P.Mayer A and is the second most utilised form of denial beyond 'explanation'. The accused, throughout the course of both P.BM EA 10052 and P.Mayer A, use this particular phrase in various places either to deny their involvement outright, or to deny further involvement in the robberies and can be alongside other denial phrases or focus constructions, either being the first statement the accused makes, or the final one. The construction itself appears to be a different palaeographical writing of the *bwpw=f sdm* negative past tense/negative preterite (Černý & Groll, 1993: 204ff; Junge, 2005: 153). The only time the form *bwpw* is used in the TRP is in P.Abbott<sup>141</sup> where it is used to detail whether or not tombs had been broken into, and not used as part of speech.

### *bpy=i ptr* at the Beginning of a Testimony

The first place that *bpy=i ptr* occurs is at the beginning of the accused's testimony. An example of this has already been shown at the beginning of Section 4.5 (Ex.1), but another example from the testimony of Pawenesh is:

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<sup>140</sup> As demonstrated in the tables above, *bpy=i ptr* also has endings such as *nty nb gr*, or just *gr*. The addition of these endings to the *bpy=i ptr* construction does not denote 'everyone' or 'everything' but rather 'anyone' or 'anything' just as *nb* in negative constructions does not always define its proceeding noun Černý & Groll 1993: 231.

<sup>141</sup> 2.15, 2.18, 5.3, 5.5, 6.21, & 7.14.

*Ex.3: P.BM EA 10052 11, 18*

*dd=f bpy=i ptr nty nb i-ir(=i) 'nh m w' pr [šri] n pr mwt*

*He said, "I saw no one. I lived in a small house belonging to the temple of Mut."*

Since the phrase *bpy=i ptr* occurs at the beginning of both these testimonies it means that the accused's denial of involvement is brought to the fore immediately, without the accused bringing forth evidence of their innocence. In the testimony of Ese (Ex.1) she simply states that she did not see, thus leaving no room for interpretation on the part of the Tribunal. The testimony of Pawenesh<sup>142</sup> (Ex.3) also has the *bpy=i ptr* denial at the beginning of his recorded speech. His particular denial is not just a straightforward *bpy=i ptr* denial, but one of the variants classified as a *bpy=i ptr* + explanation that allows the accused to not only deny their involvement in the robberies but also to explain why their involvement was not possible. In his testimony, Pawenesh uses the *bpy=i ptr* + explanation to provide a plausible reason as to why he has not benefited from the robberies, the reason being that he is poor and therefore could not have benefited, implying that he would otherwise be benefitting from this new wealth. His use of *bpy=i ptr* in this way does not take active control of the discourse with the Tribunal, unlike Ese's use of it. Instead, Pawenesh remains in the position we would expect of a subordinate in this situation, as while he is challenging the Tribunal on their presuppositions, he is not directly confronting them. While on the surface the *bpy=i ptr* examples in Ese's and Pawenesh's testimonies appear similar, they are in fact using them in different ways. Indeed, Pawenesh uses *bpy=i ptr nty nb 'I saw no-one'* which is a variation on the standard *bpy=i ptr* we see in the TRP, perhaps indicating that this is something Pawenesh said, rather than something that was 'scribified'.

Another example of the phrase *bpy=i ptr* being used at the beginning of a testimony comes from the testimony of Slave Degay, who has been brought before the Tribunal on account of his 'master' Bukhaaf, likely because the Tribunal believe he has seen or been involved with Bukhaaf's robberies. While there is no direct evidence for Degay's involvement in the robberies, we cannot rule out his participation:

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<sup>142</sup> Priest Pawenesh also has a testimony in P.Mayer A (8.6-7) that uses a *bpy=i ptr* + explanation denial formula.

*Ex.4: P.BM EA 10052 4, 14-18*

*dd=tw n=f ih p3 shr šm i-ir=k i-r-m bw-h3=f p3 nb twt n3 rmt wn i-r-m=f  
dd=f bpy=i ptr iry.tw=f ih w<sup>c</sup> h<sup>d</sup> gm=f sw m-di ps-sntr ns-imn hn<sup>c</sup> n3 it3 wn i-  
r-m=f*

*He was asked, "What is the story of your going with Bukhaaf the master of yours with the men who were with him?" He said, "I did not see (it). What is this about a (haul of) silver? He found it in the possession of the Incense Preparer Nesamun with the thieves who were with him."*

This is another example of the *bpy=i ptr* + explanation usage, which is found at the start of a person's testimony. This example also includes a 'rhetorical question' in conjunction with the denial phrase as part of the accused's 'strategy'. By using the *bpy=i ptr* + explanation at the front of his testimony, Degay allows himself to deny outright that he saw anything to do with the silver his master Bukhaaf is alleged to have stolen from the tombs, and challenge the Tribunal on their assumptions. The *bpy=i ptr* at the beginning allows him the opportunity to deny his involvement but then move directly into challenging the Tribunal on their assumptions. This gives Degay, as the Subordinate, a temporary active control in the discourse with the Tribunal in order to try to persuade them of his innocence in the matter. Unlike Pawenesh, who only uses the *bpy=i ptr* + explanation to defend himself, Degay uses it to directly challenge the Tribunal, thus giving him active discourse control. His usage of the *bpy=i ptr* phrase here fits neatly as an answer to the question posed. It does not read as if the Scribe has doctored Degay's speech in order to insert this as a paraphrase for a much longer denial, and therefore the assumption is that this was something Degay actually said. This testimony is unusual as Degay is listed as having the title 'Slave' and belongs to another accused, Bukhaaf, yet seemingly directly refutes the Tribunal's accusations thus going against the established norm for a Subordinate/Superior relationship in this context. Therefore, if what is being shown here is Degay using his speech to launch a direct FTA back at the Tribunal, then what we have is another example of someone from the lowest positions in society speaking out against some of the highest.

### ***bpy=i ptr* at the End of a Testimony**

This example of *bpy=i ptr*, from Trumpeter Perpatjau, comes at the end of the testimony, after he has been asked how he went to rob the tombs, and before Butcher Pennesuttawy is examined:

#### ***Ex.5: P.Mayer A 3, 18-20***

*in sft pn-nswt -t3wy s3 b-s iw dd dd-m-šnb pr-p3-t3w sdm=ir-dd wn=f m n3  
swt iw bpy=i ptr=f m irt=i*

*‘The Butcher Pennesuttawy son of Besa was brought in because of the Trumpeter Perpatjau had said, “I heard that he was in the places, although I did not see him with my eye.”’*

The *bpy=i ptr* in this particular example is one of the variants mentioned earlier, which denies seeing anything with the eye. By using this form of the *bpy=i ptr* denial Perpatjau is only denying having seen something to do with the robberies, but not that he does not know anything about them. This is evident from the statement that precedes the denial, which states that he heard of information to do with the robberies. By stating that he heard of Pennesuttawy’s involvement, Perpatjau admits that he knew of someone else’s crimes, but with the use of the denial phrase Perpatjau halts further presupposition from the Tribunal; i.e. that he saw anything more than this. Note that his use of the *bpy=i ptr* denial here is not used as an exclamation of ‘*I didn’t see!*’ but in a conditional manner where he accepts knowing Pennesuttawy was a thief, but denies having seen him commit crimes i.e. being there when robberies were occurring. The use of the *bpy=i ptr* denial at the end of his testimony also effectively cuts off the Tribunal’s further questioning as it implies he has said all he is willing to say on the issue. The variation present here would indicate that this might be in fact something Perpatjau actually said rather than ‘scribification’ as one would expect if the phrase was spoken in the same context and style as many others. In all the examples shown so far there have been slight variations in the way in which *bpy=i ptr* is used by the accused, which shows us that, at the very least, not all instances of *bpy=i ptr* repeat in the same manner and therefore not all can be said to be ‘scribified’.

In some cases, *bpy=i ptr* is only used by the accused to try to end their testimony sooner. This is evident here where Pawenesh, seen again here in P.Mayer A, is using the *bpy=i ptr* denial phrase to try to end the interrogation as he has no more to add to the testimony:

*Ex.6: P.Mayer A 8, 8*

*whm smtr=f m kn(kn) m b-d-n m knkn dri m šs sp.2 dd=f bpy=i ptr*

*He was examined again by beating in a very severe beating. He said, "I saw nothing"*

It is this type of *bpy=i ptr* phrase that appears most often at the end of testimonies as the accused try to convince the Tribunal that they have nothing more to confess, and one which is possibly the most heavily edited by the scribe writing the document. While it is very likely that the accused chose to answer the Tribunal using very similar language, when this particular phrase occurs at the end of a testimony it usually comes directly after the accused has been beaten. This 'beating' uses standardised phrasing, which only changes depending on what the accused was examined with, and therefore it is not erroneous to presume that the denial phrase that follows it might also be something which the scribe has shortened or edited to sit alongside the other standardised phrases that occur in these texts. Even so, the use of the denial phrase here at the end of the testimony is not about achieving a more stable position, unlike as if it was used at the beginning, but merely a statement to the Tribunal that they are not going to get any further information from this particular accused. Pawenesh has already used a *bpy=i ptr* + explanation example<sup>143</sup> in this particular testimony to gain active control of the discourse in order to try to persuade the Tribunal of his innocence with evidence. When this fails and he is beaten, he seems to use the straightforward *bpy=i ptr* as a last attempt to get the Tribunal to see that he has nothing more to say. From the context we know that this fails, as there is a note after his testimony that states that the Tribunal have sent him back to be held for further questioning should the need arise.<sup>144</sup>

#### **4.5.3. *w3 r=i w3 r ḥ=i***

The phrase *w3 r=i w3 r ḥ=i* 'Far from me, far from my body!' only occurs six times in P.BM EA 10052 and does not occur in any other of the papyri in the corpus. Unlike the denial phrase *bpy=i ptr*, *w3 r=i w3 r ḥ=i* only comes at the beginning of an accused's testimony followed by an explanation of innocence. The relative infrequency of this phrase would suggest that this is not one that has been heavily edited by the Scribe. However, two of the occurrences of this phrase occur in testimonies do appear

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<sup>143</sup> P.Mayer A 8.6-7

<sup>144</sup> P.Mayer A 8.9

to have been edited, which would suggest that this phrase can occur in both full and edited form.

In Ex.7, we see an instance of this where the accused, Trumpeter Amenkhau, attempts to distance himself from the thefts and those accused of robbing them:

*Ex.7: BM EA 10052 4, 8-10*

*dd=f w3 r=i w3 r h<sup>c</sup>=i ir pr-p3-t3w p3 dd-m-šnb p3y=i iry=i n tttt iw=i (hr) tttt  
i-r-m=f<sup>145</sup> iw=i (hr) dd n=f iw=w hdb=k hr p3 t3w i-ir=k p3 [m] hr iw=f dd  
n=i i-ir=i šm iw t3y=i i-r-m=i i-n=f n=i*

*‘He said, “Far from me. Far from my body. Now Perpatjau this Trumpeter is an enemy of mine. I quarrelled with him and I said to him”<sup>146</sup> “You will be slain for this theft which you did in the necropolis.”’ He said to me, “If I go I will take you with me” So he said to me.’*

He furthers this denial statement by attempting to tarnish the character of another accused, Perpatjau, by relating a conversation that supposedly took place between the two men. Amenkhau tries to make himself the ‘innocent’ party by claiming that he threatened to inform on Perpatjau’s exploits when he discovered the crime. What is interesting here is that Amenkhau uses the *r* + infinitive form (*r*) *hdb=k* *you will be slain*’ as a form of authority. This is a form of what Fairclough (2015: 105) terms as ‘expressive modality’ whereby the speaker has an authority to evaluate the ‘truth’ of a situation as they are in possession of more knowledge. The modal auxiliary ‘will’ is a firm future, in Late Egyptian the Circumstantial 3<sup>rd</sup> Future, meaning Amenkhau was threatening Perpatjau with revealing the crimes he had committed, therefore leading to Perpatjau’s death. Other modal auxiliary forms (may, might, would etc.) would be inappropriate in this instance as they would not express the volition required. Amenkhau’s relaying of Perpatjau’s response to this, further cements Amenkhau’s attempts to put himself in a higher moral position than his counterpart. Perpatjau’s response is one which he uses to threaten Amenkhau that if he, Perpatjau, is caught then he will take Amenkhau with him i.e. Amenkhau will be implicated in the robberies. Again we see the use of the firm future modal auxiliary ‘will’ when Perpatjau speaks, thus indicating a certainty authority of ‘truth’ in his words. The meaning here is clear; if

<sup>145</sup> *i-r-m* here is being used idiomatically in conjunction with the verb *tttt*. See also Černý & Groll 1993: 110.

<sup>146</sup> Past *iw=f (hr) sdm* as a frontal exposition. See Černý & Groll 1993: 427.

Amenkhau informs the authorities of Perpatjau's crimes, then Perpatjau will make sure Amenkhau is arrested for them also. The converse of this is that if Amenkhau remains silent about the crimes of Perpatjau then Perpatjau will not have cause to implicate him in the robberies. Whether or not this conversation actually took place is not the issue for us. The issue is that Amenkhau is purposefully selecting these forms as part of his negotiating with the Tribunal, and himself being indirectly authoritative in order to elevate his moral position above that of Perpatjau, and hopefully be perceived as on a level with the Tribunal.

Ex.8 takes a different track to that of Amenkhau, whereby Sekhahatyamun attempts to distance himself from the tombs being investigated:

*Ex.8: P.BM EA 10052 8, 4-5*

*dd=f w3 r=i w3 r ḥᶜ=i n3 swt ʿ3yt inn<sup>147</sup> iw=tw ḥdb=i ḥr n3 ʿḥyt n iw-m-itr  
mntw n3 wn=i im<sup>148</sup>*

*'He said, "Far from me, far from my body were the great places! If I am to be put to death because of the tombs of Iumiteru, then they are the ones which I was in."*

Sekhahatyamun utilises the initial denial phrase to distance himself from the crimes the Tribunal are investigating, namely that of the Royal Tombs, but does not seek to completely absolve himself of the crime. His explanation of his actions does the exact opposite, whereby he admits to robberies in the tombs at Iumiteru. Sekhahatyamun's explanation utilises an *inn* conditional, which is used to provide a contrasting situation for the Tribunal to consider. Collier (2015: 174-175) notes that this is an example of an *inn* + past tense conditional, whereby the P-Clause (protasis) is open to fact checking/the truth, and the Q-clause (apodosis) can be an assertion, instruction, or question. In this case Sekhahatyamun seems to be using the P-clause to challenge the Tribunal to confirm that he was in Royal tombs, and the Q-clause as an assertion that he was complicit in robbing tombs, but not the ones they are investigating. By doing such, Sekhahatyamun is using the *inn* conditional to guide the Tribunal towards a certain conclusion; namely that, yes he was involved in tomb robbery, but not in the royal tombs therefore suggesting that they cannot punish him

<sup>147</sup> *inn* conditional clause with the affirmative and Negative 3<sup>rd</sup> Future.

<sup>148</sup> Relative construction indicating the English 'where' preceded by the definitive article, and the resumptive element being the adverb *im*. In this case, *p3 wn=i + im* as the resumptive element denotes 'the place I was in' See also Černý & Groll (1993: 490)



for a crime he did not commit. Consequently, Sekhahatyamun sets up the following scenarios: If the Tribunal want to punish him for being in the Royal tombs, they cannot because he was not in them. However, if they wish to punish him for robbing the Iumiteru tombs, then they can because he admits to robbing them. It should be notes that Sekhahatyamun is listed as a Servant,<sup>149</sup> a low status title, and his response here could be said to lack due deference to the higher status of the Tribunal as he is seemingly challenging them to find him guilty of robbing royal tombs. This is not something that would be expected from someone in his position. Knowing that they are not investigating the robberies at Iumiteru, Sekhahatyamun may be hoping that the Tribunal overlook his crimes elsewhere and release him.

Ex.9 is from Brewer Nespere's testimony, and comes towards the end of P.BM EA 10052 when the testimonies are frequently concise and to the point. He does not offer an explanation as to why he believes the Tribunal should accept his denial, and even after beating he only uses one other denial phrase, *bpy=i ptr*, which comes at the end of the testimony:

*Ex.9: P.BM EA 10052 11, 2-3*

*dd=f w3 r=i w3 r ḥc=i ir smtr=f m b-d-n dd=f bpy=i ptr*

*He said, "Far from me, far from my body." He was examined with the stick. He said, "I saw nothing."*

By stating *bpy=i ptr*, after using the initial denial phrase of *w3 r=i w3 r ḥc=i*, Nespere appears to be reaffirming his earlier statement of having not been anywhere near the tombs. This example is one of the two heavily edited versions of the *w3 r=i w3 r ḥc=i* phrase. While the speech of Nespere has evidently been heavily edited, uttering only these two phrases, we cannot rule out him having uttered *w3 r=i w3 r ḥc=i*, as its rare occurrence in the TRP and its set phrasing might indicate that this is an oath of some kind that the accused have spoken rather than 'scribification'.<sup>150</sup>

<sup>149</sup> Meskell (1992: 235), notes that the terms for slaves and servants can be confusing particularly in legal texts, as the term servant/slave can be sometimes used in legal texts in a humble or reverent way to denote the accused's humility before the court (Černý, 1973: 180). This may be what is occurring with Sekhahatyamun in this instance.

<sup>150</sup> Oddly, Page 11 of BM EA 10052 contains three examples of this phrase. The others being 11.11-13 and 11.15-16.

#### 4.5.4. *imy in.tw rmt mtw=f s<sup>c</sup>h<sup>c</sup>=i* and Variants

The phrase *imy in.tw rmt mtw=f s<sup>c</sup>h<sup>c</sup>=i* 'Let (someone) be brought to accuse me', and its variants, occurs twelve times in the tomb robbery corpus, and all examples are contained in either P.Mayer A or P.BM EA 10052. Much like the denial example *bpy=i ptr* this phrase can come at the beginning or the end of a testimony depending on what the accused wished to highlight to the Tribunal. This phrase has a good number of variants contained within the TRP corpus whereby the accused can ask for 'someone', 'a man' or even name the people they think should be brought against them, and this factor leads to the conclusion that this is a phrase which was uttered by the accused and not one that was 'scribified'.

Ex.10 shows the *imy in.tw rmt mtw=f s<sup>c</sup>h<sup>c</sup>=i* denial phrase at the beginning of the testimony of Scribe of the Army Ankhefenamun. Most of these denial phrases usually occur by themselves as the statement is clear enough to the Tribunal without added explanation, and this is what Ankhefenamun is doing with his statement here:

##### *Ex.10: P.Mayer A 8, 18-19*

*dd=f imi in.tw mtr mtw=f s<sup>c</sup>h<sup>c</sup>=i sw whm m smtr dd=f bpy=i ptr sw dd.tw m rmt s3w (m)-r<sup>c</sup> smtr=f*

*'He said, "Let a witness be brought to accuse me" He was examined again. He said, "I saw nothing." He was placed under arrest in order to be examined.'*

Ankhefenamun's strategy is to use the denial phrase *imy in.tw rmt mtw=f s<sup>c</sup>h<sup>c</sup>=i* to directly challenge the Tribunal to bring someone forward to prove his guilt. The phrase itself is implicit in terms of actually allowing the Ankhefenamun to deny his involvement in the robberies, but not deny it outright. Ankhefenamun seems to become a hostile witness by using the imperative *imi* in the phrase to challenge the Tribunal to find someone who refutes this. The explicit challenge to the Tribunal over their presuppositions temporarily derails the line of questioning, possibly allowing Ankhefenamun to take active control of his fate. Indeed, Ankhefenamun is listed as a Scribe of the Army, a title which is of high status (Gardiner, 1947: 26), and on social level the same status as members of the Tribunal. Even with his higher status, we would not expect someone in Amenkhau's position to challenge the authority of the Tribunal. He furthers this when the Tribunal examine him again and he likely uses the other

denial phrase *bpy=i ptr* to deny any further knowledge of the robberies and prevent further questioning.

Ex.11 works in the same way as Ex.10 as the denial phrase *imy in.tw rmt r sꜥhꜥ=i* occurs at the beginning of the testimony. The difference is that the denial phrase comes as a Tribunal account of what Efenmontu has said to them earlier rather than the scribe quoting it as something Efenmontu said in that moment.

*Ex.11: P.Mayer A 8, 23-26<sup>151</sup>*

*in šnꜥ iw=f-n-mntw n pr mntw nb iwn dd.ti n=f ih hr=k p3 dd i-ir nfw ns-imn  
d3 tw r t3y rwi3 i-r-m n3y=k iry nty iw=f (r) ii r sꜥhꜥ=k dd=k imi in.tw rmt r  
sꜥhꜥ=i in nfw ns-imn iry=f sꜥhꜥ=f dd(=f) ink i-d3y sw i-r-m mniw ihy-mh sw  
whm m smtr sw dd m rmt s3w*

*Workshop Worker Efenmontu of the temple of Montu, Lord of Hermonthis was brought. They said to him, "What have you to say regarding the speech of Sailor Nesamun, who ferried you over to this side with your companions, who will come to accuse you? You said, "Let some man be brought to accuse me." The Sailor Nesamun<sup>152</sup> was brought so that he could accuse him. He said, "It was I who ferried him together with Herdsman Ihymeh." He was examined again and placed under arrest.'*

Nevertheless, the meaning and denial of the phrase is not lost. Efenmontu sought to use the *imy in.tw rmt r sꜥhꜥ=i* denial phrase, and its imperative component *imi*, to challenge the Tribunal to prove his guilt. As the example shows, Sailor Nesamun is brought in during Efenmontu's testimony as a possible witness against him and confirms his guilt as Nesamun admits that it was he who ferried the thieves over and that Efenmontu was part of that group. Even though this is clearly the reported speech of an earlier testimony by Efenmontu, the denial phrase is still included thus indicating that this is likely something that was actually said.

In Ex.12 the denial phrase comes at the end of the testimony of Wenamun rather than at the beginning. This allows Wenamun to begin his testimony with telling the Tribunal the person that needs to be brought to prove that he is guilty and then uses

<sup>151</sup> The same Efenmontu that appears in P.BM EA 10052 7.9-17

<sup>152</sup> Sailor Nesamun also appears in P.BM EA 10052 on 9.7-8 (though has no recorded testimony) and is mentioned again in the testimony of Sailor Pakharu (P.BM EA 10052 13.1-9) whereby Nesamun is brought before the Tribunal in order to testify that he was the one who ferried the Efnamun/Ihymeh group across the Nile.

the denial phrase *imi ir=f s<sup>c</sup>h<sup>c</sup>=i* to task the Tribunal with bringing someone who can prove his guilt:

*Ex.12: P.Mayer A 9, 6-7*

*dd=f ir p3 n=i h<sub>d</sub> ir p3 ptr (w)i imi ir=f s<sup>c</sup>h<sup>c</sup>=i i-ir=i n<sub>h</sub> hr imn p3y=i nb*

*He said, "As for him who gave to me silver or who saw me, let him accuse me. I swear by Amun my lord."*

Again we see the use of the imperative *imi* as a challenge to the Tribunal's authority, with the implicit undertone that they will not find someone to accuse him as he is innocent. His testimony ends with an oath to Amun that is usually spoken at the beginning of the testimony by the thieves as a promise to speak the truth. Its appearance here demonstrates that Wenamun is using this oath, after asking the Tribunal to bring someone to accuse him, to further imply that he is innocent.

Ex.13 again works in the same way as Ex.10 as Pairsekher uses the denial phrase *imy in.tw rmt r s<sup>c</sup>h<sup>c</sup>=i* at the beginning of his testimony to challenge the Tribunal:

*Ex.13: P.Mayer A 9, 25*

*dd=f imy in.tw rmt r s<sup>c</sup>h<sup>c</sup>=i sw whm smtr dd=f bpy=i ptr sw smtr m b-d-r dd m rmt m s3w*

*He said, "Let there be brought a man to accuse me." He was examined again. He said, "I did not see." He was examined with the stick and placed under arrest.'*

This testimony comes towards the end of P.Mayer A when testimonies, in general, are smaller and more concise than their predecessors are, so his simple statement in his defence followed by a further denial makes sense here.

#### **4.5.5. *w3h imn w3h p3 h<sub>k</sub>3***

This particular denial phrase may be one that was edited by the scribe as he was writing the text, as it is a standardised oath (Gardiner, 1957: 164; Wilson, 1948: 135). However, since the phrase *w3h imn w3h p3 h<sub>k</sub>3* only occurs three times within P.BM EA 10052, the examples are not close to one another, and each accused takes the time to explain why it is that they could not have robbed the royal tombs, it is possible that this phrase has not been doctored at all. Nevertheless, this cannot be conclusively proven.

The example from the testimony of Herdsman Bukhaaf, the first to be examined in P.BM EA 10052, comes at the beginning of his testimony. In context, Bukhaaf has given an extensive list of men who were with him in the tombs as well as an extensive account of a robbery that he committed:

*Ex.14: P.BM EA 10052 2, 15-16*

*dd=f w3ḥ imn p3 ḥḳ3 mtw.tw gm rmt iw wn=f i-r-m=i iw ḥ3p=i sw  
iw irw n=f t3y=f sb3yt*

*He said, "As Amun lives, as the ruler lives, if there be found a man who was with me and whom I have concealed his punishment will be inflicted on him."*

By placing the phrase at the front of the statement it seems as though Bukhaaf is implicitly trying to make the Tribunal understand that he is telling the truth as he is swearing on the life of Amun, who was an important deity during this period, and the life of the Pharaoh, which are both very serious claims to make. He also uses a conditional after the initial statement that challenges the Tribunal to punish him further but only if he is found to have been lying about anyone else having been involved in the robberies. By using the conditional in conjunction with the *w3ḥ imn w3ḥ p3 ḥḳ3* denial phrase Bukhaaf not only challenges the Tribunal to find fault with his testimony, implying that he is telling the truth if he is confident enough in his own statement, and also to punish him by death if he is found to have been lying to them. Considering that Bukhaaf has already given the Tribunal more than enough to punish him with, this is a particularly bold statement from someone with a low social status and is perhaps an indicator that he has nothing left to lose.

Judge Pakananay, son of Wennefer, and listed as one of the men Bukhaaf says he gave silver to,<sup>153</sup> uses *w3ḥ imn w3ḥ p3 ḥḳ3* in a very similar manner to that of Bukhaaf. In context, he is asked by the Tribunal about what he has heard concerning the robberies, and what follows here is his only reply:

*Ex.15: P.BM EA 10052 13, 12-13*

*dd=f w3ḥ imn w3ḥ p3 ḥḳ3 mtw.tw gmt=i iw=i sn ḥr n3 rmt iw di=w n=i ḳdt ḥd  
ḳdt nbw iw=i ḥšb.k(w) ddt tp ḥt*

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<sup>153</sup> P.BM EA 10052 2.18

*He said, “As Amun lives, as the Ruler lives if it be found that I had something to do with the men or that they gave to me a kite of silver of a kite of gold, let me be mutilated and placed on wood.”*”

The denial phrase appearing at the beginning of the testimony again opens very strongly in favour of Pakananay’s innocence as he challenges the Tribunal, much like the *imy in.tw rmt mtw=f s<sup>h</sup>=i* denial phrase, to find a person willing to testify against Pakananay in this case. This is despite the fact that he has sworn on the lives of Amun and the Pharaoh. By doing this Pakananay challenges the Tribunal to find him guilty even after he has sworn an oath of innocence. The conditional used in conjunction with this denial phrase by Pakananay implies that he is innocent as he states that he will only accept guilt if the Tribunal can bring someone forward to testify against him in this case. The implication, therefore, is that until then Pakananay will maintain his innocence.

Ex.16, the testimony of Paaemtawemtet, comes towards the end of P.BM EA 10052 and is the shortest testimony that contains this particular denial phrase:

*Ex.16: P.BM EA 10052 14, 23-25*

*dd.tw n=f <sup>h</sup>nh n nb <sup>h</sup>nh wd3 snb r tm dd <sup>h</sup>d3 dd=f w3h imn w3h p3 hk3  
mtw=tw<sup>154</sup> gm=i iw snn hr it3 n3 it3 iw=f hsb fnd=f msdr=f ddt tp ht sw whm  
m b-d-n sw gmy iw i-ir mh m-im=f hr n h3y p3-<sup>h</sup>3-m-[t3-wm]mt s3 k3k3*

*He was given an oath of the lord l.p.h not to speak falsehood. He said, “As Amun lives and as the Ruler lives, if it be found that I had anything to do with anyone of the thieves may I be mutilated in nose and ears and placed on wood.” He was examined with the stick. He was found to have been arrested on account of the Measurer Paahemmat son of Qaqa.’*

His oath is different to that of Bukhaaf and Pakananay because he seeks to deny having anything to do with the thieves rather than challenging the Tribunal to bring someone forward to accuse him of it. However, he does use a conditional in order to challenge the Tribunal to find enough evidence against him and on that basis only will he accept punishment. From the context, it becomes clear that Paaemtawemtet was telling the truth about his lack of involvement in the robberies as it is found that he has

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<sup>154</sup> Original text contains 1<sup>st</sup> person suffix pronoun =i, but would be better read impersonal pronoun =tw.

been brought on account of having a similar name to another accused, Measurer Paahemmat, and it therefore innocent of the crimes his is accused of by the Tribunal and set free.

#### 4.6. Denial and the Use of Focus Constructions<sup>155</sup>

This section will primarily focus on the ‘explanation’ denials that deploy the Late Egyptian focus constructions: such as the Pseudo Cleft, Cleft sentence (Participial Statement), and Second Tense construction, which aid the accused in either implicitly or explicitly denying their involvement in the robberies. Secondly, this section will also look at the superior/subordinate relationship in dialogue between the Tribunal and the accused to see how the use of implicit instances can temporarily affect the balance of power between the two, as well as the flouting of the Gricean maxims of Quantity and Relation when responding to the Tribunal’s questions. The use of focus constructions to deny involvement in the robberies seems to occur mainly after *bpy=i ptr* + explanation examples or testimonies where the accused seek to disassociate themselves from the by explaining their position, but do not explicitly give a denial. As such, we do not find any examples of constructions being used in texts that contain mainly what have been termed ‘acceptance’ answers, whereby the accused simply explain what they did in the tombs and admit their guilt. As can be seen from the tables in Section 4.4, many texts such as P.BM EA 10383, P.BM EA 10403, and P.BM EA 10054(r+v), have only explanation or ‘acceptance’ answers, and therefore do not contain examples of denial using focus constructions. P.BM EA 10052, P.BM EA 10053(v) and P.Mayer A contain the examples of this type of denial, likely due to their length and number of accused examined,<sup>156</sup> and it is these examples that will be looked at in this section.

##### 4.6.1. The Pseudo Cleft

The Pseudo Cleft is constructed from a noun phrase + a defined relative clause, which agrees with the first term (Junge, 2005: 179). The defined relative clause can be formed of an active or passive participle, relative forms or relative clauses formed with *nty*. When a relative form is formed with *nty*, a wide range of relevant sentence tenses and constructions found in Late Egyptian: first present, third future, emphatic, adjectival, or existential (Junge, 2005: 179; Neveu, 1994: 192-193). The pseudo-cleft

<sup>155</sup> This thesis concentrates on the use of focus constructions in testimony responses and not the internal grammar of focus construction and thus does not attempt a detailed grammatical treatment of focus or presupposition.

<sup>156</sup> In the case of P.Mayer A and P.BM EA 10052

construction is a construction which grammatically marks focus, placing emphasis on the initial noun phrase, with the following defined relative clause providing presuppositional source material (Junge, 2005: 179).

In the TRP corpus, the accused use the Pseudo Cleft construction in order to persuade the Tribunal of their innocence by highlighting possible evidence, which would contradict the Tribunal's initial presuppositions about their guilt. Presupposition is vital to nearly all the testimonies that contain focus constructions, such as the Pseudo Cleft, which seek to contradict it. In most cases, presupposition occurs because the speaker, in this case the Tribunal, has grounds to believe that the information they have is correct (Thomas, 1995: 121). Since this is the Tribunal's standpoint and strategy, to presuppose that the accused is guilty, it is only logical that the accused's strategy against such a blatant FTA on themselves would be one which would not only employ a linguistic tactic that would defend their position, but also one that would not overtly challenge the authority of the Tribunal.

### **Examples:**

This example from the testimony of the Servant Sekhahatyamun concerns the Tribunal's presupposition that Sekhahatyamun was in the Royal tombs and had stolen from them. Sekhahatyamun seeks to contest the Tribunal's presuppositions/FTA by using the pseudo cleft construction to emphasise that, while he did rob tombs, those he robbed were non-royal and were, in fact, elsewhere:

#### *Ex.17: P.BM EA 10052 8, 4-5<sup>157</sup>*

w3 r=i w3 r ḥ= i n3 swt ʕ3yt inn iw.tw hdb=i hr n3 ʕḥyt n iw-m-itr mntw n3  
wn=i im

*'Far from me, far from my body were the Great Places!'<sup>158</sup> If I am to be put to death because of the tombs of Iumiteru, then they are the ones which I was in.'*

From the start, we can see the power of the superior position of the Tribunal compared to the position of the accused with Sekhahatyamun's opening phrase (Ex.8)

w3 r=i w3 r ḥ= i n3 swt ʕ3yt *'Far from me, far from my body were the Great Places!'* showing

<sup>157</sup> This example is repeated here in its entirety (previously Ex.8 of this chapter) as it contains both a denial phrase and focus construction, and both warrant discussion.

<sup>158</sup> The literal translation of swt ʕ3yt is 'great places' However; it is clear from the context, i.e. the Tribunal's investigations into the robberies in the Royal tombs, that swt ʕ3yt refers to the royal tombs.



that he is trying to avoid their punishment. The pseudo cleft emphasises the independent pronoun *mntw*, anaphorically referring to the tombs of Iumiteriu, by placing it in conjunction with the defined relative clause (*n3 wn=i im* ‘the ones which I was in’). By doing so, he equates the tombs at Iumiteriu as being the only tombs that he was in and therefore seeks to use contrastive supplementation to subvert the Tribunal’s presupposition with his ‘truth.’ This focus construction is contained within an *inn* conditional, which Sekhahatyamun uses to assert his position.<sup>159</sup> The use of the Pseudo cleft by Sekhahatyamun demonstrates his subordinate position as his response to the Tribunal’s accusations is not directly argumentative but rather more of a passive acknowledgement of his guilt over other robberies. Sekhahatyamun does not flout the maxim of relation as he is responding aptly to the Tribunal’s question of how he robbed the tombs. However, the maxim of Quantity is flouted because Sekhahatyamun says more than is necessary. He could have simply said ‘Far from me, far from my body were the Great Places!’ and not mentioned the other tombs from which he stole, thus saving ‘face’. Nevertheless, in order to defend his position to the Tribunal, and persuade them from their initial accusations, he has to explain why he cannot be accused of robbing the tombs on the West Bank, and therefore has to flout the maxim.

The testimony of Wab Priest Nesamun is unusual for this corpus as it is one of the few examples where an accused is brought on account of another person who is either dead or unavailable because they have fled. In Nesamun’s case, he has been brought on account of his father who was involved in the robberies. Nesamun was a child when he witnessed his father’s crimes and saw the men who robbed the tombs with his father. The Tribunal ask him to clarify the number of men he saw and he replies with the following:

*Ex.18: P.Mayer A 2, 14-15*

*mntw n3 ptr=i k3*

*‘They are precisely the ones that I saw.’*

The pseudo cleft in this instance is being used to emphasise that the men that Nesamun has already told the Tribunal about are the only ones that he saw. Emphasis is placed on the noun/direct object *mntw* ‘They’ in conjunction with the defined relative

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<sup>159</sup> For a full discussion of the *inn* conditional, see Ex.8.

clause *n3 ptr=i ʕk3* ‘ones that I saw, precisely’. By doing this, Nesamun equates the ‘these’, meaning the men who were with his father, with the ‘ones that I saw’ thus eliminating any other presupposition that the Tribunal could have had about him seeing more than just these men. The use of the pseudo cleft here also demonstrates Nesamun’s use of his subordinate position in this situation, as by using it he is subverting the Tribunal’s expectations to gain temporary situational control of the discourse. His response is not argumentative or defensive, but the implicit nature of the pseudo cleft, and the emphasis placed on the fact that he will not admit to seeing any more men, puts the Tribunal at a disadvantage.

A similar usage of the pseudo cleft construction occurs in letter between Dhutmose and his son Butehamon (LRL no.6), whereby Dhutmose instructs his son not to worry about him, but to inform Dhutmose of his own health:

*P.Griffith, 5-6 (=LRL no.6, 6-7)*

*ntk p3 nty ib=i r ptr=k sdm ʕ=k m mnt sw*

*‘It is you that I desire to see (lit. ‘that my heart is towards seeing’) and whose condition I wish to hear about daily’* (Neveu, 1994: 249; Wente, 1990: 201)

Of course, this pseudo cleft construction is not being used by Dhutmose to defend himself against accusations, but rather to encourage his son to write to him and tell him how he is. Yet there is still the same use of the construction to cleft out/emphasise what it is Nesamun (above) and Dhutmose are trying to get across. For Nesamun, is using the construction to emphasise the focus on ‘*precisely the ones I saw*’ to limit further questioning, whereas in the LRL Dhutmose is seemingly using the construction to diminish questions about himself, and emphasise that it is *ntk* ‘you’ (Butehamon) that he wants to know about as he worries about his son daily. Both examples seem to attempt to shift focus on to that which the construction ‘clefs’ out in order to emphasise a particular point, thus getting the information across without being impolite.

This example comes from the testimony of Panakhtenipet. The Tribunal have brought him before them because they suspect, or rather presuppose, him of aiding the thieves across the Nile, and therefore must have received some of the stolen silver in return. Panakhtenipet refutes this claim:

*Ex.19: P.BM EA 10052 14, 18*

*ih m 3tp t3 wn (hr) nhbt=w dd=f wn n3y=w hnw (hr) nhbt=w bpy=i ptr(=w)*

*“What sort of loads (did they have on) their necks?” He said, “They had things about their necks, but I did not see (them).”*

Using the pseudo-cleft construction, Panakhtenipet acknowledges that he saw that the thieves were bringing things back with them but he emphasises to the Tribunal, in an attempt to subvert their presuppositions and minimise the FTA, i.e. that he did not see what the thieves had. Panakhtenipet uses the construction to ‘cleft’ out ‘things’ and place it as the emphasised part of the sentence with it resuming itself at the end of the sentence by relating to an omitted ‘them.’ By doing this, he also implies that he cannot be called upon to give evidence against these men as he did not see what they were carrying so cannot say for certain that it was goods from the tombs. His use of the pseudo-cleft in his position as subordinate is, in this case, polite rather than argumentative<sup>160</sup> as he attempts to persuade the Tribunal of his cause without refuting his involvement. It could be said that if he had been more argumentative, and denied knowledge of the thieves, then the Tribunal may have looked on him less favourably. However, because he chose to inform the Tribunal of what he knew in regards to the thieves then it might be that his hope was that they would be more lenient with him.

Peikharu has been brought before the Tribunal on account of the Townswoman Taaper<sup>161</sup> and the copper she said was in his possession. By this point in his testimony, Peikharu has already denied having seen the copper or the portable chest and challenged the Tribunal by stating that there is no one who can be brought to accuse him further. After he is beaten several times for more information, he admits to having seen goods in the possession of Scribe Pentahetnakht:

*Ex.20: P.BM EA 10403 3, 19-20*

*dd=f nh3 n hnw=w n sš pn-t3-ḥwt-nḥt n3 ptr=i iw in=f st iw it3=w r p3 pr n it-ntr imn-ḥw bpy=i ptr nty nbt gr*

<sup>160</sup> Unlike the Pseudo cleft examples from the testimony of Nesamun called Tjaybay, which will be discussed in depth in Chapter Six.

<sup>161</sup> P.BM EA 10403 3.1-8

*He said, “What I saw was some things belonging to the Scribe Pentahetnakht which he had brought and was taking to the house of the Divine Father Amenkhau. I did not see anything else.”*

While it is not an explicit denial, this use of the pseudo-cleft allows Peikharu to deny his involvement by stating that he saw things, but implying that he had no further involvement. The pseudo-cleft construction is used here to emphasise that the things that Peikharu saw belong to Scribe Pentahetnakht and not to him, thus distancing him from the stolen goods. Emphasis is placed the *hnw* as the thing that was not in his possession but in the possession of the Scribe Pentahetnakht. This undermines the Tribunal’s presuppositions that he is responsible for being in the possession of the copper. By doing this, he seems to take active control of the discourse to resolutely deny that he was not in possession of the copper and therefore strengthen his denial against the Tribunal’s presuppositions. This, however, is not his position throughout the testimony as he is repeatedly beaten in order to get him to confess.

#### **4.6.2. The Cleft Sentence (Participial Statement)**

Like the pseudo-cleft construction, the cleft construction is a construction in which one part of the sentence is separated (or ‘cleaved’) out from the remainder and placed into prominence/emphasis for the reader or hearer to notice (Junge, 2005: 176; Neveu, 1994: 192-193). The cleft construction, or participial statement, is comprised of (*in* + noun phrase/*ntf*)+(participle/prospective *sdm=f*). The Cleft construction proper still occurs in Late Egyptian texts but, more often than not, uses *m* rather than *in* to begin the construction (Junge, 2005: 177-178). A key function of the cleft construction is to put the first component (the initial noun phrase/independent pronoun) into focus, with the second component providing the presupposition material.

In the TRP corpus, the Cleft sentence is used by the accused to make statements about their dealings with the robbers or to state that they were not involved in the robberies. They use it to highlight particular points they wish to make, in order to defend themselves against the Tribunal’s accusations.

### Examples:

The example below is again from the testimony of the Servant Sekhahatyamun (Exs.8 & 17);<sup>162</sup> he has been brought before the Tribunal because they presuppose that he has been robbing the tombs due to the silver discovered in his possession. In the text prior to this point, Sekhahatyamun denies that he robbed tombs on the West Bank and implies that he can be punished for robbing tombs but that those tombs are elsewhere, namely those in Iumiteru. He then goes on to say that he was given silver by Panefer, which he later found out to be stolen from the tombs and went to return it. In doing so, he came across Ihymeh and Efnamun, the children of Panefer, arguing about the silver that they had stolen:

*Ex.21: P.BM EA 10052 8, 10*

*....iw ink i-di ptr=k p3 hr*<sup>163</sup>

*‘...although it was I who showed you the tomb.’*

In recounting their argument, Sekhahatyamun used the cleft construction in order to highlight a particular part of the speech of Efnamun where he makes a point of telling Ihymeh that he did not get as much silver as he feels he is owed. Therefore, the Cleft sentence is used to place emphasis on the independent pronoun *ink* as Efnamun wants to make it clear that *he* showed the robbers where the tomb was and therefore should get more of the share of silver. This example does not play into the superior/subordinate relationship between the Tribunal and the accused as this is relayed speech of another person. However, Sekhahatyamun is trying to keep the same force of the original statement by keeping the Cleft sentence construction in Efnamun’s speech. In terms of maxims, the maxim of Relation is not flouted here as the recounting of the story, and the speech contained within, is relevant to the defence of Sekhahatyamun. However, the maxim of Quantity has been flouted as, while the story is necessary to Sekhahatyamun’s defence, it could have been said in a much simpler manner by stating, *‘Efnamun son of Panefer was the one who showed them where the tombs were. I had nothing to do with it.’*

We see a similar example in LRL no.28, a letter from Butehamon to General Piankh, which details various tasks Piankh has set Dhutmose (Tjaory) and Butehamon,

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<sup>162</sup> Again, the testimony of Sekhahatyamun is utilised as it contains numerous examples of denial phrases and focus constructions.

<sup>163</sup> Cleft sentence after the dependent *iw*

and Butehamon utilises the letter to inform Piankh of their progress. Butehamon recounts the speech of his mistress to Dhutmose when detailing the search for a transport ship and the delivery of clothing:

*P.BM EA 10375 (= LRL no.28) 26-27 (rto)*

*(i)n bn tw=k m n<sup>c</sup>t i-r-m(=w) n3-hbsw hr ntk i-ir=k swd(=w) n p3y=k nb*

*‘Are you not going with the clothes? And it is you who will deliver (them) to your lord.’*

Here the mistress is using the Cleft sentence construction to emphasise that it is Dhutmose (Tjaroy) who should be the one to deliver the clothes personally to Piankh, and not to her, as Piankh has requested them. Again, we see the cleft sentence make use of the independent personal pronoun, in this case *ntk* ‘you’, to cleft out who is responsible for the delivery and where they are supposed to be delivered to. The mistress who is speaking is implying to Dhutmose that if he wants to be seen as obeying Piankh’s commands then he will do as commanded. Indeed, we see evidence of this in Butehamon’s following lines *‘Even if there are some ten thousand servants belonging to our lord, would they obey him like us?’* (Wente, 1990: 195). It would seem that Butehamon is attempting to keep the emphatic force of the mistresses’ statement in his own letter to possibly further imply that the commands of both Piankh and the mistress were met and he is a competent servant.

This particular denial example comes from the testimony of Nesamun son of Paykharu,<sup>164</sup> who denies having received any gold:

*Ex.22: P.BM EA 10053(v) 2, 9*

*ntf b3k sw i-r-m nbwy imn-h<sup>c</sup>w s3 b3k-šri iw bpy=f dit n=i kdt im=f<sup>65</sup>*

*It was he who worked it together with Gold worker Amenkhau son of Bakshehi and he did not give to me a kite of it.’*

In this instance, emphasis is being placed on ‘*ntf*’ as Nesamun wants to make it clear to the Tribunal that a confederate of his<sup>166</sup> is the one who worked on the gold that

<sup>164</sup> The reading of the name is unclear as the text is broken, but Peet (1930: 117) suggests that the reading could be Nesamun, so this is the reading that will be used here.

<sup>165</sup> The cleft sentence here is one that contains a time indication, in this case, the past. Here, the time indication provided by the participial statement is identical to that of the *bpy=f dit*. See also Černý and Groll (1993: 527)

was taken from the tombs and that this person did not give any of it back to him. From the context, it is not clear whether Nesamun participated in the robberies, or whether he was only responsible for handing over the gold, as the text is broken. All we can say for certain is that Nesamun knew where the gold was and who was in possession of it at the time. This is something that Nesamun fully admits to; his actual denial comes when he denies having ever received gold after the fact, meaning that he never benefitted from having the gold melted down. This is what the cleft sentence construction is being used for in this instance; placing emphasis on the fact that someone worked the gold for him but that he never received the gold back. This example plays along the lines of the typical norm of a Subordinate/Superior relationship as Nesamun does not try to take active control in discourse but merely explains, using the cleft sentence construction, why their presupposition is incorrect. In terms of the Gricean maxims of Quantity and Relation, Nesamun does not flout the maxim of Relation, as everything he states in his testimony is relevant to the question that he has been asked.<sup>167</sup> The maxim of Quantity, on the other hand, is more difficult to determine whether it has been flouted due to the fact that the initial question is missing so we cannot determine whether what he is recounting is as much as the Tribunal asked to know. The nature of this testimony and of others recorded in P.BM EA 10053(v) is for the accused to answer with long explanation answers so therefore Nesamun's testimony would not be out of the ordinary for this text and would consequently not flout the maxim of Quantity.

Here the Tribunal are questioning Scribe of the Army Qashuty about silver that has been sold. Qashuty makes it clear to the Tribunal that he did not actually see the silver the Tribunal believe he sold. However, he does mention that he 'heard' about who actually committed the robbery, before launching into the explanation, which begins below:

*Ex.23 P.BM EA 10383 1, 5-6*

*dd=f m šs pr ḥd swth-ms wn m imy-r 3ḥt i-ii iw=f it3 p3y ḥ3w gnn r t3 ʿt t3ty  
nty m t3 ḥwt*

*He said, "It was the scribe of the Silver House, Sutekhmose, who was Overseer of Fields, who came and took this vase stand to the room of the Vizier, which is in the temple."*

<sup>166</sup> Text is broken so it is not clear to whom Nesamun is referring.

<sup>167</sup> Though this question is lost, it is likely to have been along the same lines as other questions found in P.BM EA 10053(v).

Qashuty is utilising the cleft sentence construction, in this instance, to place emphasis on *šs pr n ḥd swth-ms* ‘Scribe of the Silver House, Sutekhmose’ as he wants to make it plain to the Tribunal that the person they really want to be questioning about the silver is Sutekhmose. The denial, in this instance, is not being used to deny knowing anything about the robberies, but instead, is being used by Qashuty to explicitly deny his involvement and then to provide the Tribunal with the name of the thief responsible. This contrasts the Tribunal’s presupposition that Qashuty was the one who committed the theft. Nevertheless, Qashuty’s use of this focus construction does not change the subordinate/superior relationship in dialogue, as he is not being deliberately argumentative, but instead he provides them with additional information that may help them interrogate the actual perpetrators. Qashuty does not flout the maxim of Relation, as his utterance is relevant to the situation he is in. The maxim of Quantity, on the other hand, is more difficult to determine as, like the example of Nesamun above, there is no question recorded from the Tribunal. We cannot assume that Qashuty has exactly answered whatever question was posed to him; however, what we can see is that the maxim has not been flouted due to him providing enough information about the man who should be being interrogated.

#### 4.6.3. The Second Tense

The second tense construction is well-known to put focus/emphasis on the circumstantial (=adverbial) component of the sentence, with the verb and its dependents providing presuppositional material,<sup>168</sup> thus similar to the pseudo-cleft and cleft constructions. The verb takes on a particular form, graphemically similar to the relative form, usually auxiliarified as *i-ir=f sdm*, but unlike the syntactically-marked separate initial positioning of focus in the pseudo-cleft and cleft constructions, the circumstantial/adverbial focus in the second tense construction appears in its ordinary sentence word order position and is not discernibly separated out in the syntax of the construction, at least as far as can be seen in writing.<sup>169</sup> But it is often unclear how multiple circumstantials would be distinguished syntactically between ‘predicate’ and

<sup>168</sup> Cassonnet’s (2000) work on the 2<sup>nd</sup> Tense in Late Egyptian.

<sup>169</sup> Within the Polotskyan approach the focal properties are made distinctive through making the verb and its dependents the subject to an adverbial predicate subject (Junge, 2005: 129; Černý & Groll, 1993: 366).



simple ‘adjunct’ status, whereas, by contrast, the more focal expression can often be picked out in reading (and thus interpretation).<sup>170</sup>

In the TRP corpus, the Second Tense construction is used by the accused in order to place emphasis on the circumstances of a particular action they have done/not done. This is done to draw attention to said action in hope that the Tribunal would notice this emphasis and therefore believe their protestations.

### **Examples:**

This example comes from the testimony of Brand-bearer Ahautynefer who has been brought before the Tribunal because of the testimony of the Servant Degay. The Tribunal asks him the standard opening question and his reply is as follows:

#### *Ex.24: P.Mayer A 4, 17-18*

*dd=f<sup>c</sup>d3 bpy=i ptr imi in.tw n3 rwdw n niwt [...] n [...] i-ir=i <sup>c</sup>nh m nhy n nk<sup>c</sup>  
i-r-m nhy n bndw*

*‘He said “False. I did not see. Let the inspectors of Thebes be brought [...] I lived on some nk<sup>c</sup> fruit together with some rags.”’*

On the surface, Ahautynefer’s initial denial means that he did not see anything. Implicitly it means that he did not see anything to do with the robberies. The unpacking statement adds more to this denial by stating that he lives on small meals and has only a few rags. This would be indicative of someone who was quite poor and therefore Ahautynefer is using the Second Tense construction to suggest to the Tribunal that if he had robbed the tombs then he would not be living as poorly as he does. By doing this, he seems to be implicitly suggesting to the Tribunal that he did not have anything to do with the robberies because he is still so poor, so if he had robbed the tombs then the inverse would be true; that he would be living on better food and with better clothes than he does now. This seems to reject outright the Tribunal’s presupposition that he has robbed the tombs as it provides them with a plausible reason for why Ahautynefer could not have been in the tombs and demonstrates what would be the opposite situation if he had been in them. While Ahautynefer is the Subordinate in this situation, he uses the Second Tense construction to contrast the Tribunal’s presuppositions by supplementing them with his own ‘truth’, thus making his position in active discourse

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<sup>170</sup> This interpretational approach, although not yet presented in full published form, is the approach taken in teaching and research at the University of Liverpool and is followed here.

stronger than that of the Tribunal. In this example, Ahautynefer flouts the maxim of Relation, as what he says is not directly relevant to the question that he was originally asked by the Tribunal, even though when it is looked at implicitly it gives the relevant information. By flouting the maxim in this way, it demonstrates that Ahautynefer wishes to challenge the Tribunal on their presuppositions but is going to make them work for the answer. Indeed, if this interpretation is correct then we are again seeing someone of low social status being impolite to a Tribunal composed of High Status individuals, which goes against what we would expect from discourse between the two.

The testimony of Bukhaaf contains a lot of important information concerning his involvement in the robberies as well as his deposition of his fellow thieves. The majority of his testimony is taken up with attempting to convince the Tribunal of others' guilt rather than his own; this leads the Tribunal to send him for several beatings before he confesses what happened. In the context of the example below, Bukhaaf has been asked by the Tribunal how he went to rob the Great Places. He explains that the Workman Pawer took him to the tomb of the Great Royal Wife Hubardjat. It then leads the Tribunal to ask him the following question:

*Ex.25: P.BM EA 10052 1, 16-17*

*dd=w ir t3 st i-hnw rs i-iri=k gmt=s mi ih dd=f i-iri=i gmt=s wn.tw ʿn*

*‘He was asked, “Now the tomb you went to, in what state did you find it?” He said, “I found it was already open.”’*

This question can be seen as implicitly loaded, as the Tribunal presupposes that Bukhaaf was the one who opened the tomb. Bukhaaf’s answer contains the second tense of this example that attempts to dissuade the Tribunal from their presupposition, that he was the one who broke into the tombs, as he has seemingly noticed the implicit cue from the Tribunal that suggests they already believe he broke into it. Emphasis therefore has been placed on *wn.tw ʿn* ‘*already open*’ thus allowing Bukhaaf to make it clear that he wishes to protest his innocence in so far as he was not the one who originally opened the tomb, but that it was already open when he robbed it, thus giving the construction a temporal element. This temporal element allows him to contest when the tomb was opened, as though Bukhaaf does admit to robbing the tomb, he seems to strongly deny ever having opened it, indicating that it must have been opened by someone else. It would therefore be clear that in this example the second tense is being used to contest an implicit assumption on the part of the Tribunal as to whether

Bukhaaf was the one who originally broke into the tomb or not. If the tomb was already open as Bukhaaf claims, then the accusation cannot be levelled at him. As Bukhaaf is, on the surface of things, being cooperative with the Tribunal in this case, the superior/subordinate relationship is not obvious. However, because Bukhaaf seems to be using a second tense to emphasise the fact that he did not open a tomb he is therefore using the construction in his position as subordinate to politely indicate that he was not responsible, thus abiding by the rules of a Subordinate/Superior relationship (Tannen, 1993: 173). Given what we understand of the context of this particular testimony within the TRP, it is likely that Bukhaaf is pushing for a more favourable outcome for himself, and his use of language nicely reflects this.

This usage of a temporal element in a second tense construction is not limited to the TRP. In this example from a letter between Bakenamon (son) and Ramose (father), we see Bakenamon write to his father about agricultural matters and conscriptions, but the second tense example occurs in the section where Bakenamon discusses the sending of his boy to Ramose:

*P.Bolonga 1086, 6-7 (= KRI IV, 79, 8-10)*

*hr bw rh=i r-dd iri p3y=i ʕdd (r) ph r=k y3 i-iri=i h3b=f shm-phity*

*‘And I do not know if my boy will reach you, for I have (only) sent him to Sekhempehty’*  
(Neveu, 2015: 93)

Here the second tense construction is being used to emphasise that the boy Bakenamon sent has ‘only’ gone to Sekhempehty, thus indicating that there perhaps the boy reached Ramose when Bakenamon did not expect him to. Indeed, Bakenamon furthers this by stating *‘It is Pre and Ptab who will inquire after your welfare...Otherwise I would have sent you a letter by his hand.’* (Wente, 1990: 125) and it seems to suggest that the boy reached Ramose unexpectedly in that time, thus prompting Ramose to write back to Bakenamon to enquire about his welfare. The emphasised element *i-iri=i h3b=f shm-phity* states that the boy was ‘only’ sent to Sekhempehty, which seems to imply that Bakenamon did not send the boy with the intention of ever reaching Bakenamon during that time, thus seemingly trying to placate him father (his superior) for the supposed perceived slight of not sending a letter with the boy to ask after Ramose.

The examination of the Wab Priest Pawenesh is brief, containing only the oath taken by Pawenesh, the tribunal’s question, and Pawenesh’s answer. The example below

is in response to the Tribunal's question *What have you to say?* in reference to Pawenesh's supposed involvement in the robberies:

*Ex.26: P.BM EA 10052 11, 18*

*dd=f bpy=i ptr nty nb i-iri(=i) ʿnh m wʿ pr šri n pr mwt*

*‘He said, “I saw no one. (I) live in a small house in the temple of Mut.”’*

His response is particularly indirect in so much as he does not answer their question at all but gives an answer, which, out of context, does not make sense. It is in this indirect answer that we get the second tense of *i-iri(=i) ʿnh* placing emphasis on the fact that the place in which he lives is small. In the Egyptian context, this answer would have made sense to the Tribunal, as they would have known that the fact that Pawenesh lived in a small house meant that he was indirectly implying that he could not have robbed the tombs. Therefore, by emphatically stating to the Tribunal, using the second tense, that he lives in a small house he is rejecting their presupposition that he robbed the tombs. The acquisition of wealth that Pawenesh supposedly gained from robbing the tombs is being contested here. This example can be said to be argumentative in terms of how the second tense is used, which given Pawenesh's social standing as a Wab Priest, is not something one would expect when speaking to a powerful Tribunal. While it is an indirect use of the second tense it is clearly being used here to emphasise a point that is contrary to the Tribunal's presupposed assumptions, namely that Pawenesh robbed the tombs and benefited from it, thus making a case for Pawenesh being innocent of the crimes he is accused of because he lives in a small house. The superior/subordinate relationship here is different to other examples we have seen. While we have seen Ahautynefer be deliberately confrontational with the Tribunal (Ex.24) and Bukhaaf cooperate with them (Ex.25), Pawenesh is neither. His answer is very implicit and it is clear that he chose it to be like this. The Tribunal would probably understand what he was referring to but we, as modern readers, have a hard time understanding how this is relevant to the question posed. It is, in fact, completely relevant though it does flout the conversational maxim of Relevance, as he did not answer the question that was asked of him nor does he abide by the maxim of Quantity, as there is not enough information given for the answer to be understood straightaway. It is likely that Pawenesh is using his position as subordinate to get the Tribunal to think about what he has said and the position he is in so that they might look more favourably on him when they decide his punishment.

This example is from the testimony of Weaver Wennekhu son of Taty and follows the testimony of Wab Priest Nesamun.<sup>171</sup> Both these examples are interesting because they are brought on account of their fathers who committed the robberies and are now dead:

*Ex.27: P.Mayer A 2, 19*

*dd=f i-iri(=w) hdb p3y=i it iw=i m šri*

*He said, "I was only a child when my father was killed."*

In this case, Wennekhu is using a Second Tense construction in order to place emphasis on the fact that he was just a child when his father committed the robberies, thus implying he cannot be complicit in the robberies. Wennekhu is implicitly trying to emphasise to the Tribunal that he was *only* a child when his father committed thefts, and subsequently killed by his companions, so how could he possibly know what his father did during that time. By doing this, he might be hoping that the Tribunal see sense and set him free, rather than question him about crimes he did not commit and ones for which his mother has previously given evidence. Wennekhu holds the Subordinate position, as is usual in these denial examples. Nevertheless, utilising this construction, he manages to challenge the Tribunal's line of questioning by implying that the Tribunal have wasted their time by bringing him to give evidence, as he was just a child when the robberies were committed, and therefore cannot give them any more information. The Tribunal, are therefore at a disadvantage as it appears their assumptions were wrong. Again, with the usage of the Second Tense, we see an accused of relatively low social status, in this case a Weaver, actively challenging their higher status interlocutor by taking active control of the discourse. As Tannen (1993: 173) states, the role of the subordinate is to be polite towards their superior counterpart. However, what we are seeing here and in other second tense examples is a clear subversion of this relationship and one we would not expect to see in these texts.

In the testimony of Nesamun son of Paybaki, he has been brought before the Tribunal because of the supposed opening of a seal on the storehouse of Pharaoh. The structure of this example is as such that Nesamun uses the denial phrase *bpy=i ptr=w* in conjunction with the Second Tense in order to emphasise the fact that he believes

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<sup>171</sup> Ex.18

himself to be innocent. *bpy=i ptr* is often used in conjunction with focus constructions to give more emphasis or plausibility to the denials given by the accused:

*Ex.28: P.Mayer A 6, 16-17*

*bpy=i ptr=w iw wn=w t3y ht i-ir=i dd=f n snd*

*I did not see them opening this seal; I said it because of fear.'*

Nesamun is using the Second Tense in this instance to place emphasis on *n snd* to imply to the Tribunal that the reason he confessed previously to the crimes was that he was afraid of the consequences and said it *only* because of that fear. By doing so, he rules out all other possibilities that the Tribunal may have presupposed i.e. Nesamun's involvement in the robberies. By emphasising that he only confessed through fear, Nesamun rejects any other questions that the Tribunal may have had, and also seems to implicitly accuse them of forcing him to confess his 'involvement' through fear. This shows Nesamun taking active control of the discourse in his testimony, as his use of the Second Tense in this situation subverts the Tribunal's assumptions. The Tribunal is therefore at a disadvantage, as Nesamun's use of the Second Tense, to imply that what he had said previously was incorrect because he was frightened to tell the truth, throws off their assertions, and nullifies some of their evidence. This shift in discourse control, in theory, should work in favour of Nesamun as, given the context, he would likely hope that he has proven his innocence;<sup>172</sup> however, the testimony is ended abruptly after this and the thief Ahautynefer is brought back to defend himself, in regards to the storehouse, once more. This abrupt end of the testimony can mean one of two things; that Nesamun has proved his innocence, a theory that is unlikely at this juncture, or that Nesamun has proven himself to be an unreliable witness. While he may think he has shifted the power balance and proved his innocence, it is more likely that, while temporarily wrong-footed, the Tribunal believe him to be an unreliable witness, and have therefore ceased to examine him further.

Many of the second tense examples contained within the TRP are vague and seemingly deliberately so if the accused are using them in their defence. Outside the TRP, second tenses seem to be more straightforward. In this example, sender and

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<sup>172</sup> Though rescinding a previous testimony, and admitting to lying does not make him the most reliable witness.

recipient are male but unknown, the sender is complaining about being insulted by the recipient, as well as the removal of wood:

*P.DeM VII, vs.6*

*hr bn i-iri=i t3y=w dy iwn3*

*‘And it is certainly not here that I took them’* (Neveu, 2015: 95)

The second tense example here is similar to Ex.28, above, in that it contains a negative element. The sender reprimands the recipient for besmirching his character *‘Although you go on denigrating my reputation in the presence of the people of the Village’* (Wente, 1990: 152-153) before going on to tell him that he did not take wood from the recipient’s home, seemingly linking the two events. It is then that the sender uses the second tense construction to emphasise that it was not from the house of the recipient that the wood came, explicitly implying that it came from another place and therefore no blame should befall him. The second tense gives a similar meaning to that seen in Ex.28 with both translations having an *‘only’* or *‘certainly’* element that seems to allow the user to negate all other scenarios and strongly put forth their own.

#### **4.7. Evidence of Disrespect from the Accused?**

What has been noted at several points throughout this chapter and Chapter Three (3.8), is that on some occasions the accused when responding to the Tribunal they do not show due deference towards the Superiors of the situation. The contextual norm for a trial situation is that the accused will show respect to those who are questioning them. However, on several occasions it has been noted that some accused are not abiding by this ‘rule’, and indeed the majority of these accused come from a low social status background. Indeed, Chapter Two highlighted the difference in the social backgrounds of both the Tribunal and the accused, with the Tribunal noted as coming from some of the highest positions within government at the time, and the accused coming from low status occupations, with a couple of instances of high status accused.

This was particularly highlighted in Chapter Three (3.8.1.1.), where the accused use rhetorical questions in their denials, which seemingly question the authority and veracity of the Tribunal and their questions. Sekhahatyamun (Ch.3 Ex.31) uses his rhetorical question response to query why he is supposed to be in another accused’s debt when he has already stated he was no where near the robberies. This is an FTA on the Tribunal in itself, but Sekhahatyamun is also listed in the text as being a

Storehousekeeper/Servant, meaning he is of much lower social status than that of the Tribunal. We see the same thing occurring in Tjauenany's testimony (Ch.3 Ex.32) wherein he utilises a rhetorical question to query why he would even be involved when he knew what was done previously to thieves who robbed royal tombs. Again, his response lacks the deference we would expect from a low social status accused, Tjauenany is a Carpenter, when speaking to high status individuals.

In this chapter, we've seen the most evidence of this when the accused use the second tense construction. In Ex.26, Wab Priest Pawenesh claims to live in '*a small house in the temple of Mut*', which, on the surface, would seem like a vague answer. However, it would seem that Pawenesh is implying that he could not have robbed the tombs because he is evidently quite poor. It is indirectly argumentative and meant to be an attack on the Tribunal's reasons for questioning him, i.e. he's poor so if he'd robbed the tombs he'd be living better than this. Pawenesh is listed as a Wab Priest, a low social status occupation, and his argumentative line of response does not show due deference to the higher status Tribunal. In Ex.27, we see another Wab Priest, Wenenkhu, challenge the Tribunal as to why he has been brought when he has nothing to do with the robberies. We learn he has been brought on account of his father's misdeeds, and Wenenkhu is directly argumentative about it as he was just a child, and therefore could not have known what his father did. Again, this is a challenge to the authority of the Tribunal from someone of a low social status who wants to know why he has been brought when he has committed no crime.

While we have these instances, it is not immediately obvious as to why these accused feel that they can break with social norm of subordinate respecting superior, and call into question the Tribunal's authority and evidence with their responses. Is this a result of social disconnect, whereby what we are seeing is an increased distrust or resentment of the authorities for the socio-economic problems of the period? Or is it due to other factors? That investigation would be worth undertaking, but is beyond the scope of this thesis.



# Chapter Five: 'Acceptance' Answers

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## 5.1. Introduction

Chapter Four discussed the accused's use of denial, through phrases and focus constructions, as a form of defence against the Tribunal's impoliteness and presupposition. While these demonstrate how the accused can employ denial as a strategy against the Tribunal and their accusations, they do not show us the full range of answers supplied by the accused. In this chapter, the use of 'acceptance' answers as a means of responding to the Tribunal's allegations will be assessed, so as to understand how the accused can 'accept' their involvement, use them as a strategy for their own benefit by revealing information about their fellow thieves or the robberies, and their use as a way of constructing core narrative. It will not focus on the interaction between Tribunal and accused, as there is very little interaction beyond the initial question posed. The main aim of this chapter is to demonstrate the accused's strategy when employing an 'acceptance' answer, and the impact an accused's 'acceptance' answer can have on both the core narrative and the questioning of the other accused within their 'group', as this is just as important to understanding the overall discourse as Tribunal/accused interaction.

As mentioned in Chapters Three and Four, the principal element that the 'acceptance' answers provide the reader with is a core narrative of the events belonging to and surrounding robberies committed by different groups of thieves. Without these 'acceptance' answers, the Tribunal would not be able to firmly establish the events surrounding the robberies, and consequently have something with which to back up their own presuppositions of each accused's guilt. Therefore, this chapter aims to bridge the gap between the denial response strategies, and the questions/speech acts that the Tribunal use to interrogate the accused with, demonstrating the different types of answers that the accused give when faced with impolite questioning. It is also the aim of this chapter to show how these narrative answers can be used by the reader in modern analysis to reconstruct the events of some of the robberies committed, and use this evidence to further our understanding of these texts as a whole.

From their content and structure, it is clear how this type of response differs from the equivalent denial form. Compared to a denial answer, an 'acceptance' answer is far longer. The exception to this would be the *bpy=i ptr* + explanation type of denial

response, which tend to be longer due to the accused's need to explain why they are innocent. 'Acceptance' answers also tend to contain explanations of the actions of the accused, which are inclined to be lengthy and detailed. Absent from these responses is the strong superior/subordinate interplay that we see in the denial examples. Instead, we have occasional subverting of Tribunal's expectations, i.e. naming someone they did not expect, but nothing as overt as examples seen in Chapter Four. From these answers, we can gain information such as the number of thieves involved in the robberies, precisely what was taken, and who these thieves were. It is this information that the Tribunal use to determine guilt, as if one accused has implicated another then they are more likely to suspect his involvement. It seems that this could be a form of strategy by one accused who knows they are guilty, and are using their testimony, as a means to implicate those whom they believe should be punished. This differs from the denial answers, whereby lists of those accused are not given, so the Tribunal are unable to question them further without resorting to impolite speech acts.

This chapter will look over the case studies undertaken on two different robbery groups: the so-called 'Bukhaaf group' from P.BM EA 10052, and the group belonging to Paykamen from P.Mayer A. These groups will be assessed by asking questions of the data that a modern reader might wish to know in order to establish a core narrative i.e. Who was in the group? Who was brought before the Tribunal? What was stolen by the group? Who received silver? etc. From this, we will be able to see how consecutive 'acceptance' answers belonging to those in the same robbery group can aid in establishing a core narrative of events for a specific robbery.

## **5.2. What are 'Acceptance' Answers?**

### **5.2.1. Key Features**

The term 'acceptance' answer has been used here to denote the difference between those that deny their involvement in the robberies outright, and those who accept their involvement. The term also encompasses those who were not involved, but provide detailed answers about those they know to have been involved in the robberies, or those who have stolen something. For these accused, it is not so much an 'acceptance' of involvement, but rather an 'acceptance' of detailed knowledge about those who committed the crimes. Typically, an 'acceptance' answer will contain details about the accused's involvement in the robberies at some length, such as the testimonies of Bukhaaf in P.BM EA 10052 or Amunpanefer in P.Leopold II Amherst,

while also containing lists of names of the thieves who were with them, or who received stolen goods. An example of this can be found in P.BM EA 10383, which, though damaged, also demonstrates this volunteering of information, as Scribe of the Army Qashuty provides a detailed account of what happened to the vase stand, even though he claims he was not directly involved:

*Ex.1: P.BM EA 10383 1, 5-11*

*dd=f bpy=i ptr p3 hpr m-di=f iry.tw=f iḥ sdm(=i) sw dd=f m šs pr ḥd swth-  
ms wn m imy-r 3ḥt i-ii iw=f it3 p3y ḥ3w gnn r t3 ʕt t3ty nty m t3 ḥwt iw=f šʕt ḥd  
dbn[...]<sup>173</sup> im=f iw=f it3=w iw n3 ity-ntr wʕb hr(y)-ḥ3b n t3 ḥwt ii m wḥm sp  
iw=w it3 p3y ḥ3w gnn ʕn iw=w šʕt ḥd dbn m-im=f dmḍ dbn 5 spyt ḥd dbn 30  
iw.tw ḥnt=f n ḥ3w<sup>174</sup> p3-wr-ʕ3 iw.tw ir p3y ḥ3w gnn m š3 iw.tw mtn=f rn n pr-ʕ3  
ʕ.w.s. iw.tw w3ḥ=f(r) st=f ʕn ḥr ir pr-ʕ3 ʕ.w.s. p3y=n nb ʕ.w.s. ii r niwt iw.tw  
dit<sup>175</sup> stm ḥri r stm n t3 ḥwt iw=f ii r t3 ḥwt iw=f [dit] in.tw p3 ḥ3 [...] 26 iw=f  
irt ḥ3w=f*

*‘He said, “I did not see what happened to it. What is this about? (I) did hear about it.” He said, “It was the scribe of the Silver House, Sutekhmose, who was Overseer of Fields, who came and took this vase stand to the room of the Vizier, which is in the temple. He cut off silver deben from it and he took them away. Now the God’s Father and Wab Priests and Lector Priests of the temple came next and they took this vase stand once again and they cut off silver deben total 5 deben, remainder 30 deben of silver. It was entrusted to the Measurer Paweraa and this vase stand was made up in value and inscribed with the name of Pharaoh l.p.h. It was put (in) its place again. Now when Pharaoh l.p.h, our lord, came to Thebes, Setem Priest Hori was appointed as Setem Priest of this temple. He came to the temple and [had] this vase stand brought [...] 26 and appropriated it.”’*

Qashuty does provide a detailed response as to what he knows about Setekhmoses’s involvement in the theft of the vase stand, but makes it clear the he was not involved in the theft of the vase itself. Page two of this document is a scribal record of several other thefts that have been given in detail by Qashuty. These are not given as full accounts, but rather as notations different thefts that have occurred, with only one

<sup>173</sup> Peet’s transcription indicates that space was left for a value of deben, but the number was never filled in.

<sup>174</sup> Reading ḥ3w rather than Peet’s s3w.

<sup>175</sup> dit with r means to “appoint” or “to make someone something”

bearing an additional line to state that Wab Priest Paysen was brought to state that there was no fault with his superior in the case of the 1200 deben of copper *'belonging to the doors of Pharaoh.'* These notations are most likely some form of 'scribification' as it is clear that they have been truncated for brevity. Indeed, Qashuty's main testimony also bears hallmarks of 'scribification' insomuch as it contains titles of other accused and additions such as 'l.p.h' that we cannot say for certain if Qashuty would have uttered these additions. However, the statement at the beginning of his testimony would point to the recorded version being at least partially Qashuty's own words, as there would be no reason to write down the rhetorical question and seeming confusion that appears. Qashuty's account does not have a list of men involved with him, since he was not directly involved in the theft of the vase, but does provide many names that help us as readers understand precisely who it was that did commit the crimes.

### 5.2.2. Appearance in the Texts

'Acceptance' answers seem to come at the beginning of each text, with many occurring in the initial pages before the answers provided by the accused increasingly start to use the denial phrases seen in Chapter Four, and move away from accepting involvement in the robberies themselves. As already discussed in Chapters One and Three (1.4 & 3.3.2.), in P.Mayer A, P.BM EA 10052, and to some extent P.BM EA 10403,<sup>176</sup> it seems that the accused belonging to the same robbery group are brought first, so as to create a core narrative from their testimonies, and individual robbers, many brought as a result of these 'acceptance' answers, are brought afterwards. It is also possible, as in the case of P.Mayer A for example, that the accused have been brought before the Tribunal previously,<sup>177</sup> and have therefore been brought to be questioned first as the Tribunal believes that they will provide them with the most pertinent information. As was noted in Chapter Four, the longer 'acceptance' answers provide the information that they seek, therefore allowing the Tribunal to collate this information

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<sup>176</sup> P.BM EA 10403 has been included as an example here as it does contain consecutive testimonies. However, the robbery in the testimony of Ahautynefer is unconnected to the robbery committed by Taaper, Pakharu son of Peshnedjmeh, and his wife Shednakht. Since P.BM EA 10403 is far shorter than P.BM EA 10052 and P.Mayer A it is impossible to say if people of the same group would continue to have been brought if the text was longer. Nevertheless, the text does still show the accused being examined in groups relating to one another, despite the briefness of the text.

<sup>177</sup> It would appear from the context, and his own testimony, that Herdsman Bukhaaf is a repeat offender, as he appears in both P.BM EA 10052 and P.Mayer A. The same is apparent for several other members of this gang. Their appearances are documented in a table in section 5.4. of this chapter.

and possibly use it against those who seek to deny their involvement.<sup>178</sup> Of course, it cannot be ruled out that the order of these texts is simply a digest of testimonies, with those who provide the most information grouped together at the beginning. However, it seems unlikely that this is the case, due to the clear strategy shown<sup>179</sup> when the Tribunal bring forward members of the same group consecutively to provide testimonies about the same robbery, with each successive testimony having an impact on the next accused.

### **5.2.3. Core Narrative**

As discussed in Chapter Three (3.5.1.), the Tribunal's main use of their questioning is to build up the core narrative of the events surrounding each robbery committed. Core narrative is important to both the Tribunal and to us as modern readers, as it allows us to understand the people involved in the robberies, and to reconstruct the ways in which these groups of men and women went about robbing these tombs. Archer (2005: 83) notes that the EmodE courtroom also has elements of storytelling within them, whereby there is a back and forth between the Tribunal and accused in order to establish the whole story. This happens less so in the TRP, as the accused often give their version of events completely uninterrupted by the Tribunal, though this is not always the case. This core narrative can also have a significant impact on the discourse between the Tribunal and accused, as information gained from these answers can be used by the Tribunal as evidence of 'guilt' when interrogating others, thus allowing them to use an impolite speech act/FTA. Therefore, 'acceptance' answers must be analysed for both core narrative and potential impact on the overall discourse.

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<sup>178</sup> This is a key tactic we see the Tribunal using when they examine the accused. As demonstrated in Chapter Three, the Tribunal can follow up their initial question, after the accused has spoken, with another question, which can pertain to information the Tribunal has received about the accused previously. A good example of this is the testimony of Nesamun called Tjaybay in P.BM EA 10052, whereby the Tribunal use knowledge gained from previous accused, as well as Nesamun's own testimony, to find discrepancies in his evidence.

<sup>179</sup> Those belonging to the Bukhaaf, Efnamun, in P.BM EA 10052, and Paykamen in P.Mayer A, whereby testimonies are dated to successive dates, thereby demonstrating an internal chronology.

## 5.3. Why Might the Accused Use an ‘Acceptance’ Answer?

### 5.3.1. Worn Down by the Tribunal?

It should be noted that the accused, in the process of being interrogated by the Tribunal, are often beaten in order to make them confess to their crimes. Many testimonies across the TRP corpus contain evidence of punishment inflicted upon the accused if they are not cooperating with the Tribunals questioning. For example, in the testimony of Bukhaaf in P.BM EA 10052, Bukhaaf is beaten on several occasions to extract further information from him about the robberies:

*Ex.2: P.BM EA 10052 1, 13-14*

*ir smtr=f m b-d-n dd=fi-w3h dd=i*

*He was examined with the stick. He said, “Stop! I will tell!”*

*Ex.3: P.BM EA 10052 1, 17*

*ir smtr=f m b-d-n n dd=fi-w3h dd=i*

*He was examined again with the stick. He said, “Stop I will tell!”*

After each beating, he is once again asked a question by the Tribunal about his involvement in the robberies. One question being related to his involvement in getting to the Royal tombs, and the other asking what the story of what he did in the tombs. Each time, after he is beaten, Bukhaaf volunteers more information as to his, and others’, involvement. This is true for many testimonies that contain a beating of the accused. Therefore, we cannot rule out that the accused are providing these ‘acceptance’ answers, not as a means of their own defence, or merely implicating others, but have simply been worn down by the Tribunal to a point where they willingly confess. This is likely to be true of many of the examples of ‘acceptance’ answers found within the TRP corpus, and is in direct contrast to the denial examples where the accused are still fighting the accusations. Nevertheless, ‘acceptance’ answers can still contain elements presented by the accused that can be seen as tactical in nature, either for their own benefit, or to the detriment of others.

### 5.3.2. 'Acceptance' Answers as a Means of Implicating Others?

This particular observation should be evident given the nature of the context the answer is being given in, but there are a number of factors to be considered. One is that those accused are not seeking to be found innocent of the crimes they are accused of committing. By using these 'acceptance' answers, they are already condemning themselves to the punishment that the Tribunal will inflict on them when they are found guilty, and are therefore not trying to prove themselves innocent of the crimes. The Tribunal seem to assume that the accused giving the 'acceptance' answer is guilty,<sup>180</sup> keeping in line with their 'guilty until proven innocent' line of questioning Archer (2005: 85), seemingly making the answers that the accused are giving merely a formality. In a sense, by using the 'acceptance' answer in this way, the accused are not hoping to achieve anything by confessing their guilt, but are merely forced to go through the norms of trial discourse for the Tribunal's benefit. However, this is not to say that their responses have no impact on the overall discourse.

This impact can take the form of the implication in the robberies. As stated above, it is possible that the accused knew that by confessing to these crimes they would be securing their own guilt. It could be said that by listing names at the end of their testimonies they are directly implicating others in the crimes, even if some of those listed were not involved. Unlike the denial responses, this would not be an attack against the Tribunal, their position in discourse is too weak, but against the thieves they worked alongside. We can see evidence of this in the testimony of Incense Preparer Shedsukhons, whereby he recounts how his father was threatened by Amenkhau son of Mutemhab, a member of Bukhaaf's larger group,<sup>181</sup> for involving his son in this, and now tells this to the court in order to make it seem like he was coerced:

#### *Ex.4: P.BM EA 10052 3, 15-17*

*iw imn-h<sup>c</sup>w s3 mwt-m-h3b dd n=f p3 i3w š3š3 bi(n) t3y=f i3wt ir iw=k hd(b).tw  
iw=k h3<sup>c</sup>.tw r p3 mw iw nim wh3=k*

*'But Amenkhau son of Mutemhab, said to him "Silly old man, whose old age is evil. If you are slain and thrown into the water who will look for you?"'*

<sup>180</sup> It is highly likely that the Tribunal already have information on these thieves (i.e. from proceedings that we no longer have preserved) in order to bring the accused before them. It is not the job of the Tribunal to determine guilt, but to build up a core narrative of events so as to determine which tombs were robbed, and where the stolen items have gone.

<sup>181</sup> The differences between these two groups will be discussed later in this chapter.

By making this statement, Shedsukhons deflects the Tribunal's attention away from his direct involvement in the robberies, and towards how he was forced into handing over his share of the silver after his father protests that Shedsukhons will be left with nothing, but still open to severe punishment (death) for robbing the tomb. By having this story within his testimony, Shedsukhons implies that while he was involved in the robberies, as evidenced by the 'acceptance' answer, he did not get to keep his share of the silver, therefore reducing his own involvement and elevating the involvement of Amenkhau. This type of statement has an impact on the overall discourse, as by providing a name and a scenario for someone else's guilt, Shedsukhons gives the Tribunal impetus with which to question him further and the evidence with which to question someone else. Indeed, the Tribunal challenge Shedsukhons' assertion in the next exchange within the discourse.

We can see the reverse of this situation in a  $w3\ r=i\ w3\ r\ h^c=i$  denial example from the testimony of Amenkhau, whereby he claims that he was only involved because Trumpeter Perpatjau said he would accuse him if Perpatjau himself was accused:

*Ex.5: P.BM EA 10052 4, 8-10*

$dd=f\ w3\ r=i\ w3\ r\ h^c=i\ ir\ pr-p3-t3w\ p3\ dd-m-snb\ p3y=i\ iry=i\ n\ tttt\ iw=i\ (hr)\ tttt$   
 $i-r-m=f\ iw=i\ (hr)\ dd\ n=f\ iw=w\ hdb=k\ hr\ p3\ t3w\ i-ir=k\ p3\ [m]\ hr\ iw=f\ dd\ n=i$   
 $i-ir=i\ sm\ iw\ t3y=i\ i-r-m=i\ i-n=f\ n=i$

*'He said, "Far from me. Far from my body. Now Perpatjau this Trumpeter is an enemy of mine. I quarrelled with him and I said to him "You will be slain for this theft which you did in the necropolis."'" He said to me, "If I go I will take you with me" So he said to me.'*

While Amenkhau's testimony is not an 'acceptance' answer, it is important to note that we can clearly see a similar strategy being employed here in a denial answer. By implying that he has been threatened by Perpatjau he further distances himself from the robberies. This demonstrates that the accused in both 'acceptance' answers and denial responses utilise the strategy of implicating another person in order to reduce their own involvement.



## 5.4. Case Study – The ‘Bukhaaf Group’ of P.BM EA 10052

In P.BM EA 10052, there are a number of ‘acceptance’ answer testimonies that detail specifically the events that transpired in different robberies, by different groups. These testimonies are particularly lengthy, which allows us to build up a greater view of what happened on the West Bank in relation to the robberies of each particular group, and how each testimony has an impact on the overall core narrative and the testimonies that follow. P.BM EA 10052, as mentioned in Chapter One, has two distinct groups of thieves; the Bukhaaf group, and the Efnamun group.<sup>182</sup> It appears that the Bukhaaf group is in the early stages of examination, with many members who were directly involved brought forward, however the Efnamun group seems to be at a later stage with many of those questioned having no direct relation to the robberies committed by that group. The primary members of the Bukhaaf group come at the start of P.BM EA 10052, before being interrupted by what appears to be the conclusion of the Efnamun group questioning, and resuming with members of Bukhaaf group who have minor connections to those directly involved. It is the ‘acceptance’ answer testimonies of the robberies committed by the main members of the Bukhaaf group that will be looked at over the course of this section in order to assess how these ‘acceptance’ answers can help build core narrative. The testimonies are as follows: Herdsman Bukhaaf, Incense Preparer Shedsukhons, Trumpeter Perpatjau, Slave Degay, and Incense Preparer Nesamun called Tjaybay, and Townswoman Nesmut.

Before we examine the main testimonies of the Bukhaaf group, it should be acknowledged that P.BM EA 10052 is not the only text in which this group appears. Some members of the Bukhaaf group are also mentioned in P.Mayer A as follow up examinations, demonstrating that even though the accused provide ‘acceptance’ answers in their initial testimonies, the culmination of both core narrative and the accusations of their fellow accused mean further examinations and interaction with the Tribunal. The table below details the accused’s appearances in P.BM EA 10052 and P.Mayer as well as the final outcomes, if known.

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<sup>182</sup> The testimonies of the Efnamun group (P.BM EA 10052 8.7-12.27) come in between those belonging to the Bukhaaf group (P.BM EA 10052 1.1-7.17 & 13.1-16.21).

**Table One: Tracking of The Bukhaaf Group<sup>183</sup>**

Testimonies in P.BM EA 10052	Initial Appearance	Follow Up Testimony	Outcome
<b>Herdsmen Bukhaaf</b>	P.BM EA 10052 1.6-23 1A.1-5 2.1-34 2A.1-14	P.BM EA 10052 16.8-14 P.Mayer A 3.25-26	Found Guilty (Mayer A 12.3)
<b>Incense Preparer Shedsukhons</b>	P.BM EA 10052 3.1-21	n/a	Found guilty (Mayer A 12.5)
<b>Trumpeter Perpatjau</b>	P.BM EA 10052 3.22-4.5	P.Mayer A 3.22-23	Found guilty (Mayer A 12.4)
<b>Trumpeter Amenkhau</b>	P.BM EA 10052 4.6-14	n/a	Noted as being set free in P.BM EA 10052
<b>Slave Degay</b>	P.BM EA 10052 4.15-5.1	P.BM EA 10052 14.5-9 Mayer A 5.18-20	Listed as imprisoned 12.8
<b>Incense Preparer Nesamun Called Tjaybay</b>	P.BM EA 10052 5.3-5.24	P.BM EA 10052 6.14-21	Found guilty (Mayer A 12.6)
<b>Chief Porter Pakaempabua</b>	P.BM EA 10052 5.26-28	n/a	unknown
<b>Unknown A (Nesmut wife of Perpatjau)</b>	P.BM EA 10052 6.1-13	n/a	Found guilty and imprisoned Mayer A 13c.2
<b>Servant Paneferha</b>	P.BM EA 10052 7.2-8	Mayer A 5.13	unknown
<b>Sailor Pakharu</b>	P.BM EA 10052 13.1-8	n/a	Examined and sent downstream (not imprisoned)
<b>Sailor Nesamun</b>	P.BM EA 10052 13.9	Mayer A 8.25	Examined and sent downstream (not imprisoned)
<b>Judge Pakansy</b>	P.BM EA 10052 13.10-14	Mayer A 10.18-20	Mayer A – Listed as innocent
<b>Townswoman Mutemwia wife of Paweraa</b>	P.BM EA 10052 13.15-21	n/a	Mayer A – Listed as guilty (13c.8)
<b>Townswoman Mutemwia wife of Scribe of the Divine Records Nesamun</b>	P.BM EA 10052 13.22-26	n/a	Mayer A – Listed as guilty (13c.3)
<b>Follower Paynodjem A</b>	P.BM EA 10052 14.1-5	P.BM EA 14.19-21	Noted as set free in P.BM EA 10052
<b>Fisherman Panakhtenipet</b>	P.BM EA 10052 14.11-18	Mayer A 5.9-12	unknown
<b>Scribe Paaaemtawemetet</b>	P.BM EA 10052 14.22-25		Brought because of Measurer Paaaemmat. Presumably set free by the Tribunal.

<sup>183</sup> This table contains all people listed in P.BM EA 10052 as being related to the robberies Bukhaaf and his fellow robbers committed. The case study is limited to the six main members of the group to demonstrate core narrative building using ‘acceptance’ answers.

<b>Unknown B</b>	P.BM EA 10052 14.26-27	n/a	unknown
<b>Sailor Amenhotep son of Iryaa</b>	P.BM EA 10052 15.1-3	Mayer A 3.15-17	Given freedom (noted in Mayer A)
<b>Townswoman Mutemhab, wife of Ramose</b>	P.BM EA 10052 15.4-9	n/a	Found guilty (Mayer A 13c.5)
<b>Scribe of the Army Hori, son of Efnamun</b>	P.BM EA 10052 15.10-14	P.Mayer A 10.21-24	Left in the hands of the Overseer of the Treasury
<b>Quarryman Hori</b>	P.BM EA 10052 15.15-16	n/a	P.BM EA 10052- Listed as innocent
<b>Follower Paynodjem B</b>	P.BM EA 10052 15.17-19	n/a	P.BM EA 10052 – Listed as innocent
<b>Goldworker Suaamun</b>	P.BM EA 10052 15.20-21	n/a	unknown
<b>Foreigner Ahatynefer son of Nekh</b>	P.BM EA 10052 15.22-24	n/a	P.BM EA 10052 – Listed as innocent
<b>Herdsmen Pai[...]</b>	P.BM EA 10052 15.25	n/a	unknown
<b>Herdsmen Suaamun</b>	P.BM EA 10052 16.1-2	Mayer A 10.12-14	Mayer A – Given freedom
<b>Fisherman Pawekh</b>	P.BM EA 10052 16.3-7	n/a	unknown
<b>Coppersmith Hori called Khadjadja</b>	P.BM EA 10052 16.16-17	n/a	P.BM EA 10052 – Listed as innocent
<b>Chief Porter Djehutyhotep</b>	P.BM EA 10052 16.18-21	Mayer A 5.15	Not listed at end of Mayer A. Dealt with in P.Rochester.

As can be seen in the table, many of the accused are remanded for further questioning, or found guilty of robbery in the west of Thebes. This would indicate regular robberies by different groups of people, some of whom belonged to several different groups, over a prolonged period.

Since the initial testimonies of the Bukhaaf group are lengthy and detailed, it is possible to build up a core narrative of events by piecing together bits of information that corroborate each other from different testimonies, focusing on what the Tribunal would most want to know from those accused. As with any court document, piecing together the facts from separate testimonies of the same event can be difficult, as each person's version of events will differ depending on how involved they were. Nevertheless, as a modern reader, we should be able to build up a core narrative of the activities of this particular group from the information contained within their 'acceptance' answer responses, as well as assess the impact each testimony has on the

Tribunal's questioning strategy which goes on to affect the testimonies of other accused.

#### **5.4.1. Who Robbed the Tomb?**

Throughout the initial testimonies, it is not clear in which tomb these men have been. This is mainly due to the vague nature of the TRP themselves, which rarely mention specific tombs in relation to the accused. Bukhaaf has clearly been in the tomb of Queen Hubardjet (Peet, 1930: 143), but this is a different tomb to that of Shedsukhons et al. In fact, we do not learn of the name until Nesamun called Tjaybay is brought again on Page six (lines 17-32. Damage occurs after line 21). Collier et al. (2010: 242-247), discovered, through working on Harris' notebooks on P.BM EA 10052, the name of the owner in the now damaged section at the bottom of Page six, which Peet (1930) would not have seen, as the papyrus was already damaged and is now only preserved in fragments, thus not recorded in his publication. Harris' notebook preserves lines 22-23 of Page six, thus allowing us to identify the tomb Shedsukhons et al have been in as one belonging to Queen Tyti, wife of Ramesses III (QV 52). We get this information in five of the seven testimonies in the Bukhaaf group. However, the answers given by the accused to the Tribunal do not all corroborate with their companions. It seems that there are discrepancies between the testimony of Bukhaaf, whom it appears that the Tribunal believe is the leader of the robbery group,<sup>184</sup> and the testimonies of Shedsukhons, Perpatjau, Nesamun called Tjaybay, and Nesmut.

If we examine the testimonies of these five accused, we can see that they list people who were with them when they robbed the tombs, and how much these lists of people corroborate with the lists given by the other accused. In the testimony of Bukhaaf, he is asked an open 'wh-type' question by the Tribunal asking how he went about robbing the tombs and who was with him. He begins his reply with telling the Tribunal how the Townswoman Nesmut came to his house to inform him about 'things that can be sold for provisions'<sup>185</sup> and then details a list of people as follows:

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<sup>184</sup> Bukhaaf is brought first, and appears to be the Tribunal's principle witness. This is likely because he has been caught handing out stolen silver to people, and has been named as the ringleader of a large group of thieves by others. It is highly likely the Tribunal know this when they bring him forward for questioning.

<sup>185</sup> A common phrase in the TRP is to describe the silver that they stole as something which "can be sold for bread". This is likely their code name for it so they would not be caught by being overheard discussing silver.

*Ex.6: P.BM EA 10052 1, 10-12*

*iw=i gm dd-m-šnb pr-p3-t3w 3<sup>cc</sup> wsr-ḥ3t-nḥt n p3 ḥ3ty-<sup>c</sup> n niwt ps-sntr šd-(sw)-  
ḥnsw ps-sntr ns-imn n pr imn ps-sntr <sup>c</sup>nḥ=f-(n)-ḥnsw n pr imn imn-ḥ<sup>c</sup>w s3  
šm<sup>c</sup>-wdḥw ḥri dmd 6*

*I found the Trumpeter Perpatjau, the Foreigner Userhatnakht belonging to the Overseer of Thebes, the Incense Preparer Shedsukhons, the Incense Preparer Nesamun of the House of Amun, the Incense Preparer Anbkefenkhonsu of the House of Amun, and Amunkbau son of the Singer of the Offering table Hori; total 6.'*

Therefore, with the opening testimony as given by Bukhaaf stating that there were six men that he went to after Nesmut came to him claiming to have silver. This statement will have an impact on the testimonies that follow this, as the Tribunal now have 'evidence' to use against the accused should they choose to deny involvement.

It would appear from Bukhaaf's account, and the subsequent testimonies of the men listed, that Bukhaaf was not involved in the particular robbery the men listed committed. Therefore, we must come to the conclusion that that evidence is pointing to Bukhaaf being the ringleader of a large group of thieves, to which Shedsukhons et al also belong. This is evidenced further by his name lists, as initially Bukhaaf lists just those of the Shedsukhons group, but in the list of men Bukhaaf gives on Page two, he lists 13 men, which includes himself and the Shedsukhons sub-group, thus indicating that the Shedsukhons group was part of the larger group run by Bukhaaf. What is also apparent is that Shedsukhons, and the other men, seem to have robbed a tomb without Bukhaaf, and have been found out when Bukhaaf was caught. From his lengthy testimony about his and 13 other men's involvement in the robberies, it would appear that Bukhaaf has contributed to the core narrative well. He states that he was in a Royal tomb:

*Ex.7: P.BM EA 10052 1, 15-17*

*dd=f m p3-wr w<sup>c</sup> rmt-ist p3 hr i-di ptr=n p3 hr n hmt nsw h-b-r-d-t<sup>186</sup> dd(.tw) n=f  
ir t3 st i-hnw=k r=s i-ir=k gm=s mi ih dd=f i-ir=i gm=s wn*



*‘He said, “It was Paवर a workman of the Necropolis who showed us the tomb of the Royal wife Hubardjat” He was asked, “Now the tomb which you went to, in what state did you find it?” He said, “I found it open.”’*

Moreover, he even provides the names of both the person who showed him the tomb, and whose tomb it was, while also making an explicit reference to the fact that the tomb was already open, thus inferring that the problem of tomb robbery is more widespread than the Tribunal might admit. This being so, this information could possibly be seen as particularly damaging to the authorities, as the previous investigation into tomb robbery in P.Abbott (Peet, 1930: 29-45) concluded that while tombs had been opened, those of the 17<sup>th</sup> Dynasty kings (Winlock, 1924: 222), most tombs remained intact, including many Queen’s tombs. Bukhaaf’s admittance that he has been in at least one Queen’s tomb, apparently already opened, and benefitted from the robbery of another, demonstrates the authorities’ failure to protect these tombs. Bukhaaf’s other list of 13 men is as follows:

*Ex.8: P.BM EA 10052 2, 1-14*

*p3 rn sp sn n3 rmt i-di mniw bw-h3<sup>c</sup>=f r-dd wn=w m t3y=f tt it3  
rmt ist p3-wr-ht=f s3 hr-mnw  
sš md3t ntr ns-imn  
ps-ntr šd-sw-hnsw  
ps-sntr ns-imn dd.tw n=f t3y-b3y  
imn-h<sup>c</sup>w s3 šm<sup>c</sup>-wdhw hri  
ps-sntr nh=f-n-hnsw  
ms hm imn-h<sup>c</sup>w s3 mwt-m-h3b*

---

<sup>186</sup> The name  is written using group writing, Černý (1958: 31) notes that Queen Hubardjat is the mother of Queen Ese, wife of Ramesses III, and not as several academics suggest, including Peet (1925: 40), the father of Ese. Černý notes a mistake in Lepsius’ (Denkmaler III, 1849-1859: 234) transcription of the name where  has been given a beard by Lepsius, but Černý visited the tomb of Ese and found no beard to be evident. Therefore, the transliteration of the name given by Černý has been used here.

3<sup>cc</sup> wsr-ḥ3t-nḥt r-ḥt p3 imy-r nww n imn sw m-di p3 ḥ3ty-<sup>c</sup> n niwt

nfw p3-wr-<sup>c</sup>3 n pr imn

ḥ3y p3-wr-<sup>c</sup>3 s3 k3k3 <n> pr imn

ḥ3y p3-<sup>c</sup>3-m-t3-wmtt

dd-m-šnb pr-p3-t3w

dmd s 13 dd=f wn=w i-r-m=i m t3 st

*The list of the men whom the Herdsman Bukhaaf said saying that they were in his gang of thieves:*

*Workman Paverbetef son of Hormin,*

*Scribe of the Divine Records Nesamun,*

*Incense Preparer Shedsukhons,*

*Incense Preparer Nesamun called Tjaybay,*

*Amenkhau son of the singer of the offering table Hori,*

*Incense Preparer Ankhefenkhonsu,*

*The young servant Amenkhau son of Mutemhab,*

*Foreigner Userhetnakht in charge of the Overseer of the Hunters of Amun, he is in the service of the Governor of Thebes,*

*Sailor Paveraa of the House of Amun,*

*Measurer Paveraa son of Qaqa <of> the house of Amun,*

*The Measurer Paaemtawemtet,*

*Trumpeter Perpatjau.*

*Total 13 men. He said, "They were with me in the tomb"*

Again, the impact of Bukhaaf's list of men might provide the Tribunal with enough impetus change their questioning strategy with subsequent accused based on this evidence.

Upon further investigation into the testimonies of this 'group' it is apparent that Bukhaaf's testimony may not be as forthcoming as it would first seem. The following testimony is that of Incense Preparer Shedsukhons, whom Bukhaaf lists as being part of

the group that aided him in robbing tombs. A group of men this size indicates to us that it is not just one or two men going to rob tombs on a whim, but a large number of clearly organised people. Indeed, social groups are often brought together by a common desire or interest (Reicher, 2004: 923; Terry, Hogg, & Duck, 1999: 282), in this case tomb robbery. This perhaps suggests that tomb robbery was accepted as commonplace until the authorities decided to intervene or discovered the extent of it. This becomes more apparent as it appears that Shedsukhons has been brought before the Tribunal as a direct result of Bukhaaf's statement that he, Bukhaaf, was the recipient of the silver Shedsukhons et al. had stolen, but it is clear that Shedsukhons et al. had acted without the knowledge of the larger group. When asked by the Tribunal about what occurred when Shedsukhons and his gang went to rob tombs, Shedsukhons replies with the following:

*Ex.9: P.BM EA 10052 3, 2-4*

*dd=f ir ink wn(=i) sdr.tw m p3y(=i) pr iw imn-h<sup>c</sup>w s3 šm<sup>c</sup>-wdḥw ḥri 3<sup>c</sup> wsr-  
ḥ3t-nḥt dd-m-šnb pr-p3-t3w ps-sntr ns-imn dd.tw n=f t3y-b3y iy r p3 nty tw=i  
(im) m p3 grḥ*

*He said "As for me, I was sleeping in my house and Amenkhau son of the singer of the offering table, Hori, Foreigner Userbetnakht and the Trumpeter Perpatjan and the Incense Preparer Nesamun called Tjaybay came to the place where I was in the night."*

A noticeable difference between Shedsukhons' testimony and Bukhaaf's is that the number of people mentioned by Shedsukhons is two smaller than those mentioned by Bukhaaf, most likely because it appears Shedsukhons is talking about the lead up to the robbery whereas Bukhaaf seems to relate events that have happened after the robbery occurred. In fact, Bukhaaf is not mentioned at all in the opening lines of Shedsukhons' testimony. This is likely because Bukhaaf was not involved in the robbery itself, and perhaps suggests that the robbing of the tombs by thieves was an organised effort with several groups, and splinter groups, working together to achieve a common goal (Reicher, 2004: 923). It is impossible to say how many groups there were, but from the evidence we have in the TRP we can see that many people were benefitting from



the stolen goods, including those who did not actively take part in the robberies but have socio-familial relationships with those who did.<sup>187</sup>

It is evident from Shedsukhons testimony, and those of the others in his gang, that Bukhaaf's involvement only came after they committed the robbery. We can see this later in Shedsukhons' testimony when he states:

*Ex.10: P.BM EA 10052 3, 9-13*

*hr ir t3y sny n mwt-m-wi3 t3 hmt n pr-p3-t3w šm r p3 nty bw-h3f=f im iw=s dd  
n=f st hnw in=w p3 hđ iw mniw bw-h3f=f ii i-r-m šš-md3t-ntr ns-imn h3y p3-  
wr-š3 nfw p3-wr-š3 h3y p3-š3-m-t3-wmtt s3 k3k3 imn-h3w s3 mwt-m-h3b dmd 6  
iw=w in p3 š3-n-inr m-di ʿnh-n-niwt ns-mwt t3 hmt n pr-p3-t3w iw=w šsp  
t3y=n 4 dnyt iw=w it3=w*

*Now when this sister of Mutemwia the wife of Perpatjau went to the place in which Bukhaaf was, she said to him "They went; they brought away silver" The Herdsman Bukhaaf came with the Scribe of the Divine Records Nesamun and the Measurer Paweraa, Sailor Paweraa, the Measurer Paaemtawemtet son of Qaqa and Amenkhab son of Mutembab. Total 6. They brought the stone weight from the possession of Townswoman Nesmut the wife of Perpatjau and they took our 4 shares and stole them."*

It is clear from Shedsukhons' statement that even though Bukhaaf and Shedsukhons were both heavily involved with the robberies they did not collude on this particular one, as Bukhaaf has evidently taken the silver that Shedsukhons et al. originally stole from the tomb. However, they do agree on who summoned Bukhaaf to the house of Perpatjau, as they both state that the Townswoman Nesmut went to bring Bukhaaf and his companions<sup>188</sup> to share in the silver. This shows that while Nesmut may not have robbed the tomb herself, she, as Perpatjau's wife, was complicit in aiding the robbers, thus demonstrating to us that it is possible that most robbers were aided by family upon their return from the tombs.

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<sup>187</sup> For example, both Townswoman Ese (P.BM EA 10052 10.11-16), and Townswoman Mutemwia, wife of Ramose (P.BM EA 10052 15.4-9), are both known to have benefitted from the robberies from which their husbands received goods. Even here in the Shedsukhons group, we can see Townswoman Nesmut, wife of Perpatjau, aiding and benefitting from the robberies her husband was involved in.

<sup>188</sup> There is no clear indication that Shedsukhons was aware of Nesmut's going to inform Bukhaaf of the sub-groups robbery.

Ex.9 demonstrates an ‘acceptance’ answer tactic on the part of Shedsukhons as his wording of how he became involved in the robbery. *‘I was sleeping...came to the place where I was in the night.’* seems to imply that he was not the initiator of the robbery, thus diminishing his own involvement, and placing the blame on others. His use of language here would seem to suggest that he is hoping the Tribunal will take note of his inferred ‘diminished responsibility’, which is reminiscent of the denial strategies seen in Chapter Four. This implied ‘diminished responsibility’ may impact the Tribunal’s line of questioning, as they may choose to believe that Shedsukhons is telling the truth, since he is the first to be questioned and therefore view the men he lists as the actual instigators. The fact that both state that it was Nesmut who came to bring Bukhaaf to share in the silver indicates that those involved were at least close enough socially to one another to know where the others lived, thus making it more likely that these robberies were committed by groups of friends or coworkers.

Shedsukhons’ list of men who were in the tombs comes to a total of five, which is concurrent with the testimony of another robber in the ‘Bukhaaf group’, Trumpeter Perpatjau, as he also describes the events leading up to the robbery. In Perpatjau’s testimony, he states:

*Ex.11: P.BM EA 10052 3, 24-26*

*dd=f ir ink wn=i hms.k(w) m p3 pr n šm<sup>c</sup>-wdh<sup>w</sup> hri iw imn-h<sup>c</sup>w s3 hri ii iw=f  
it3 i-r-m=f wsr-h3t-nht ps-sntr šd-sw-hnsw ps-sntr ns-imn dmd [4]*

*‘He said, “As for me, I was sitting in the house of the singer of the offering table Hori, and Amenkbau son of Hori came. He brought with him Userbetnakht, Incense Preparer Shedsukhons, and the Incense Preparer Nesamun; Total [4].”’*

Including himself the number of people listed by Perpatjau, a total of five is the same as the number of people given by Shedsukhons. This would indicate to us that both Shedsukhons and Perpatjau’s testimonies are congruent, thus making the core narrative of the events leading up to, and the events of the robbery, more stable. While neither of them list any of the other men Bukhaaf does in his list of 13 men on page two, they bear similarities to the list given by him on page 1A. It is also noted that Perpatjau, like Shedsukhons, tries to deflect blame from him and onto others, by stating that he was brought into the robbery by others, and not as one of the instigators. In fact, his testimony seems to contradict that of Shedsukhons by stating that Shedsukhons came to involve him in the robberies, whereas Shedsukhons says it was Perpatjau. In

both cases, their use of language reflects some of the key features discussed in Section 5.2.1. whereby the accused attempts to deflect the blame by giving another accused a more prominent role in the events, thus trying to alter the discourse to their benefit. Even though Perpatjau's testimony contains this attempt to deflect blame, both he and Shedsukhons agree that it was Amenkhau, son of the singer of the Offering Table, Hori, who came to them, and invited them to rob the tomb. This consistency in the testimonies strengthens the core narrative.

The next main testimony<sup>189</sup> after Perpatjau is that of Nesamun called Tjaybay, a man listed by all three of the other men whom have given totals of men in their groups so far. Nesamun's testimony is different to the others in this group for a multitude of reasons but, in this case, it is the noticeable absence of a list of co-conspirators that separates him from the rest of the robbers.<sup>190</sup> When asked of his involvement in the robberies Nesamun replies with the following:

*Ex.12: P.BM EA 10052 5, 7-8*

*dd=f i-ir=n šm r wꜥ ꜥꜥ iw=n in nh[y] ḥnw n ḥd im iw=n pš=w n=n m p3 5  
rmt*

*He said, "We went to one tomb and we brought some things of silver from there. We divided them up between us, the 5 men."*

As shown above, the number of men Nesamun states as being involved in the robberies is congruent with both Shedsukhons and Perpatjau. All three of these robbers also list the others in turn, so it perhaps not surprising that their numbers of co-conspirators match one another. However, it should be noted that Nesamun does not list the names of the men he was with. This is perhaps merely Nesamun's means of phrasing this sentence, meaning only to state the number but not the names of the men he was with. Alternatively, this could be an example of 'scribification' whereby the

<sup>189</sup> The testimony of the Slave Degay has been omitted, as he has been brought to corroborate Bukhaaf's evidence, and doesn't feature in the robbery committed by Shedsukhons et al, which is what this case study is focusing on. Trumpeter Amenkhau's has been omitted as he was falsely accused by Perpatjau and therefore set free.

<sup>190</sup> It is possible that this could be a scribal editing matter. We know from context that Shedsukhons, and Perpatjau have listed the five men involved, so if Nesamun repeated the same list, and is also the final thief interrogated, then it would make sense for the scribe to just note that he lists five men.

scribe has deliberately omitted the names of the men as they have been stated in two testimonies previous to this one, and therefore unnecessary to repeat.

The final testimony in this group, in which a number is given, is from the wife of Perpatjau, Townswoman Nesmut. Her familial relationship with Perpatjau, being his wife, means she is in an almost unique position in this group of thieves, with the other being the Slave Degay, who belongs to Bukhaaf, to answer questions about the robbers. Familial and social relationships are a principle factor in the bringing forth of some of the accused, as the Tribunal question not only the accused but also those around them to build up a core narrative (Rapport, 1997: 25). A common view in archaeology is that identity is usually categorised by age, gender and class within society (Meskell, 1999: 10), but there are more socio-cultural factors that have to be taken into consideration when identity is being discussed (Meskell, 2007: 8). One of these socio-cultural aspects is an individual's occupation and title. When Egyptians' names are given they are often equated with either a family member (this is true for most women as they were considered the property of their husbands) or with the job they performed (Shaw, 2004: 12; Eyre, 1994: 108). As mentioned above, it is clear that these men know one another, at least socially and may even work together if we take into account their job titles. Each title seems to suggest that every member of this group had connections to the temple of Amun, either working inside it or working on its estates. Indeed, both Shedsukhons and Nesamun share the title of 'Incense Preparer' so it is highly likely that these two men knew each other from their work. Nesmut's testimony is broken at the beginning, though it is easily identifiable as hers through the mention of her husband Perpatjau. Since the testimony is broken, we do not know what she was asked by the Tribunal.<sup>191</sup>

*Ex.13: P.BM EA 10052 6, 1-3*

*hr ir hrw hpr iw p3y sn ink ii iw=f i-r-m 3<sup>cc</sup> wsr-h3t-nht ps-sntr šd-sw-hnsw  
ps-sntr ns-imn pr-p3-t3w dmd s 4*

*Now when some days had occurred, this brother of mine came with the foreigner  
Userbetnakht, Incense Preparer Shedsukhons, Incense Preparer Nesamun, and Perpatjau  
Total men: 4.'*

<sup>191</sup> In the case of women being interrogated in P.BM EA 10052, they are usually asked a question in relation to a male relative; P.BM EA 10052; 13.15, P.BM EA 10052; 11.4. In the case of Nesmut, we can see from the fragmented parts of the bottom of Page 5 that she has been brought on account of her husband Perpatjau.

Compared to Shedsukhons, Nesamun, and Perpatjau, Nesmut only lists four men, and these appear to be from a different incident to the initial robbery, whereby the four of the robbers and her brother came to divide the silver. However, the men she lists are congruent with those listed by Shedsukhons and Perpatjau, with the omission of Amenkhau son of the singer of the offering table, Hori. Nevertheless, since Shedsukhons and Perpatjau have listed Amenkhau as a member, it is clear that he was involved, despite the omission here. Information provided by Nesmut further cements the information provided by others in the group as accurate, and therefore allows us to be more confident of the accuracy of the core narrative being built from these ‘acceptance’ answers.

#### 5.4.2. Where Was the Silver Kept?

This particular issue seems to be one of the specifics that nearly all the testimonies in this group ‘accept’ unanimously. The testimonies of Shedsukhons, Degay, Nesamun called Tjaybay, and Nesmut all agree that the silver that was stolen by the robbery group was placed in the storehouse of Nesmut, the wife of Perpatjau. Each of these testimonies refers to this fact, as follows:

Shedsukhons mentions that the ‘stone weight’ of the silver was placed in the storehouse of Nesmut and Perpatjau:

*Ex.14: P.BM EA 10052 3, 8-9*

*p3y=w f3 n inr dy w3h m-di ʿnh-n-niwt ns-mwt t3 hmt n dd-m-šnb pr-p3-t3w m p3 hrw*

*‘Their stone weight is lying there in the possession of Townswoman Nesmut the wife of the Trumpeter Perpatjau this day.’*

Further to this Degay also states that the silver was divided in the house of Perpatjau:

*Ex.15: P.BM EA 10052 4, 21*

*dd=f wn i-ir=w pš p3 hḏ m p3 pr n dd-m-šnb pr-p3-t3w*

*‘He said, “They were dividing the silver in the house of the Trumpeter Perpatjau.”’*

This is corroborated further, by Nesamun’s statement that the silver was divided using weights in the house of Perpatjau:

*Ex.16: P.BM EA 10052 5, 20*

*iw w<sup>c</sup> šri n inr p3 di=n n= w im=f iw bn p3 inr ʿ3 i-pš=n m-im=f iwn3*

*‘...But it was a smaller stone weight which we allotted to them, and not the larger stone weight which we divided it up with.’*

Before, finally being confirmed by Nesmut as a resident of the house in question:

*Ex.17: P.BM EA 10052 6, 6-7*

*iw=i t3y t3 dnyt n p3y=i hi iw=i nw=s m p3y=i šn<sup>c</sup> iw=i t3y w<sup>c</sup> dbn n ḥd im=f  
iw=i in=f m šš3*

*‘I took the share of my husband and I put it aside in my storeroom and I took a deben of silver there and brought ShaSha-fruit with it.’*

All these examples agree with one another that it was in the house of Nesmut and Perpatjau that the silver was kept from the robberies. Nesamun called Tʿjaybay’s response is more obscure than the other examples, but it is clear that he is referring to the silver that is in the storehouse. We can suggest this because he uses the same phraseology as Shedsukhons inasmuch as he says that there was a ‘stone weight’ of silver divided between the men. However, it also provides us with insight as to what the thieves did with the silver after they had stolen it. Clearly, the safest thing for the thieves to do with this silver, was to hide it in their homes and divide it quickly between those in the group. The division is also interesting, as it would seem that those who were not involved were given a smaller share, using the small stone weight, than those who were directly involved, who got a share based on a larger weight. This would indicate that these were not ‘take all you can carry for yourself’ robberies, but ones where loot was equally divided between those involved.

### 5.4.3. Who Was Brought to Trial?

Out of those listed as being in this particular robbery group, the numbers brought to trial are particularly high. The group, as listed by Shedsukhons, Perpatjau, Nesamun called Tjaybay, and Nesmut are brought before the Tribunal to answer for their crimes with the testimonies of those mentioned above all having been recorded by the Tribunal.<sup>192</sup> There are noticeable absences in the Tribunal records for Userhetnakht and Amenkhau son of the Singer of the Offering Table, Hori, both of whom are mentioned in the testimonies of others but are not questioned by the Tribunal themselves. Amenkhau is also mentioned as part of Bukhaaf's testimony as having been involved with him also, so it is strange that the Tribunal did not bring him before them to be questioned in connection with the robberies.<sup>193</sup> The list of men, which Bukhaaf says were with him, is extensive but the amount of men from that list that can be shown to have been brought to trial is low, only four of thirteen. One man from Bukhaaf's list we do know of having given a testimony is Sailor Paweraa, however, is not directly recorded. We only know of it by proxy through the testimony of Sailor Khonsumose son of Paynodjem:

*Ex.18: P.BM EA 10052 11, 20-21*

*dd.tw n=f ih hr=k t3 mdt n p3y hḏ i-dd nfw p3-wr-ʿ3 in=k sw*

*He was asked, "What have you to say about the matter of this silver which the Sailor Paweraa says you took?"*

This neatly demonstrates the impact that an accused's 'acceptance' answer can have on the Tribunal's questioning strategy. Without Paweraa's testimony, and subsequent implication that Khonsumose took silver, the Tribunal would not be able to ask him this narrow 'Wh-type' question, and therefore enact an FTA upon him.

### 5.4.4. What Was Stolen?

Looking at the 'acceptance' answers we have from the identified main robbery group; Shedsukhons, Perpatjau, and Nesamun called Tjaybay, we can see that the accused only list a few items as having been stolen by them, likely because the Tribunal were only looking for specific items that could have come from a Royal tomb.

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<sup>192</sup> Nearly all members of this group are questioned, as only two out of the six thieves are not brought forward, Userhetnakht, and Ankhefenkhonsu.

<sup>193</sup> He is presumably not available, either having fled or has died before he could be brought to trial.

What is immediately evident is that a silver mummy case was stolen by the accused. Even though Perpatjau's testimony (Ex.20) is broken it is still clear just what he is referring to as having been stolen from the tomb of Queen Tyti. Shedsukhons<sup>194</sup> (Ex.19) and Nesamun's (Ex.21) testimonies corroborate one another as they both state that the mummy case was placed in a basket to carry it out, while all three testimonies state that the mummy case was broken up.

*Ex.19: P.BM EA 10052 3, 5-6*

*t3y=i i-r-m=w iw=n wn t3 st iw=n in nbw hḏ swḥt dbn 1 iw=n wš3š3=s iw=n  
dit=s r wᶤ msti iw=n int=s r-hry*

*I was taken with them. We opened the tomb and we brought away a mummy case of gold and silver, 1 deben, and we smashed it up and we placed it in a basket and we brought it down.'*

*Ex.20: P.BM EA 10052 3, 27-28*

*[...] iw=n in t3y swḥt n nbw hḏ iw [...wš3]š3=s iw=n [...]*

*'[...] brought away this mummy case of gold and silver [...] broke it up. And we [...]*

*Ex.21: P.BM EA 10052 5, 13-14*

*ḏd=f in(=n)<sup>195</sup> t3 swḥt n hḏ m t3 st iw=n wš3š3=s iw=n dit=s [m] wᶤ msti iw=n  
pš=s n=n m p3 5 rmt*

*He said, "We brought away the mummy case of silver from the tomb. We broke it up, we put it in a basket and we divided it between ourselves, the 5 men."*

From this, we can hypothesise that Perpatjau, despite the fragmentary nature of this section of the testimony, is also referring to the mummy case being broken up and put into a basket. Nesamun's testimony also adds to the haul by stating that the robbers stole vases and *rwrw* fittings of gold. These, however, are not mentioned by the other robbers, so are unlikely to have been taken from the tomb the Tribunal are interested in, namely that of Queen Tyti. It is more likely that these items were taken from a second tomb, a subject that is the main discussion of Nesamun's testimony, and will be elaborated upon further in Chapter Six. Separately, Bukhaaf also lists an inner coffin of silver that may or may not be the one that is listed by Shedsukhons, Perpatjau, and

<sup>194</sup> Note that once again Shedsukhons makes a reference to having been taken with the thieves to rob the tomb, thus implying that he did not go by choice.

<sup>195</sup> Another possible reading is *in t3 swḥt n hḏ* 'The silver mummy case was taken...'



Nesamun called Tjaybay. However, this may in fact be a reference to the silver that Bukhaaf is reported to have stolen from Shedsukhons after Shedsukhons stole it from the tombs, or from another tomb entirely.

#### 5.4.5. Who Received Silver?

The question of who received silver is difficult to answer as several of the testimonies state that different people/groups received different amounts of silver. Bukhaaf gives a lengthy list of men at the end of his testimony to whom he says silver was given:

##### *Ex.22: P.BM EA 10052 2, 17-29*

*p3 h3w n t3 dnyt n ḥd n mniw bw-ḥ3<sup>c</sup>=f dd=f sdmy p3-k3-n3-ny n pr imn ḥd  
dbn 2 imy-r šht 3ḥ-n-mnw n pr imn ḥd dbn nbw kdt 5 r-db3 3ḥt wḥm rdi n=f  
m-di imn-ḥ<sup>c</sup>w s3 mwt-m-ḥ3b ḥd dbn 2 rdi n=f m-di mniw bw-ḥ3<sup>c</sup>=f k3 2 sš  
imn-ḥtp dd.n=f s3-r-ti n pr imn dbn 2 r-db3 3ḥt ḥmt dbn 40 ḥ3r10 sdmy šd-bg3  
r-db3 ḥm dg3y ḥd dbn 2 ḥmt dbn 60 bty 30 iw i-ir=i in r db3 ḥd šm<sup>c</sup> nfr rwd  
200 n mḥ 8 wsḥt 4 n<sup>c</sup> d3iw 2 mry ḥnsw-ms s3 t3y iry ḥd kdt 5 p3 nby wn ḥms  
m p3 š3r<sup>196</sup> nbw kdt 5 sdmy ns-imn n p3y b3k-bin nbw kdt 5 ns-mwt t3 ḥmt n p3-  
nḥsy nbw dbn 5*

*‘The whereabouts of the Herdsman Bukhaaf’s share of the precious silver. He said “The Judge Pakanany of the house of Amun; 2 deben of silver, Overseer of the Field Akhenmenu of the House of Amun; 1 deben of silver and 5 kite of gold in exchange for land, given to him in addition, Amenkḥau son of Mutemhab 2 deben of silver given to him by the Herdsman Bukhaaf 2 cattle, Scribe Amenhotep called Sarati of the house of Amun 2 deben in exchange for land, 40 deben of copper and 10 khar of barley, Judge Shedbega, in exchange for the slave Degay; 2 deben of silver, 60 deben of copper and 30 khar of emmer, which I had brought in exchange for silver, rwd garment of good Upper Egyptian cloth of 8 cubits, width of 4 cubits and 2 d3iw-garments of coloured cloth. Groom Khonsumose son of Tayiri 5 kite of silver, the Gold Worker who sat in the prison 5 kite of gold, Judge Nesamun of Paybakbin 5 kite of gold, Nesmut the wife of Paynhesi 5 deben of gold”’*

<sup>196</sup> Miswriting of šr<sup>c</sup> “prison” (Lesko & Lesko, 2002: 133)

*Ex.23: P.BM EA 10052 2a, 1-6*

*dd=f di=i hd kdt 5 n ps-sntṛ pn-imntt-nḥt n pr imn r-dḃ3 bit hnw 10 dd=f di=i  
hd kdt 3 n sdmy i-ir-sw n p3 ḥm nṛ tpy imn dd=f di iṯ3 ms ḥm imn-ḥꜥw s3  
mwt-m-ḥ3b hd kdt 5 n sš ʕ3-šft-m-w3st n p3 imy-r pr n imn<sup>197</sup> iw=n iṯ3=f r p3 pr  
n p3 imy-r šht iw=n dit hnw 2 n bit r=f iw=n swr=f*

*He said "I gave 5 kite of silver to Incense Preparer Penementetnakht of the house of Amun in exchange for 10 hin of honey" He said "I gave 3 kite of silver to the one who listens, Irisu of the High Priest of Amun" He said "The thief, the young servant Amenkhau son of Mutemhab gave 5 kite of silver to Scribe Aashefetemwese of the Overseer of Amun in exchange for .....(?) of wine. We took it to the house of the Overseer of the Fields and we gave 2 hin of honey to him and we drank it."*

We can see from the evidence above that a fair number of people benefitted from the distribution of silver through Bukhaaf's exploits. Not all of these people were involved in the robberies but it seems that the wealth was distributed throughout the communities surrounding Thebes in exchange for goods that Bukhaaf wanted. This perhaps demonstrates a wider acceptance of tomb robbery throughout the local populace, as the number of people receiving stolen goods is quite high. Indeed, this perhaps shows a society at this time that is motivated by self-interest to accumulate power or wealth within their society (Meskell, 1999: 129) due to the economic problems in this period, or from social pressures of others (Terry, Hogg, & Duck, 1999: 281).

The testimonies of the other robbers in this group show that the silver that they stole was distributed between Bukhaaf's group and themselves, although it is shown that Bukhaaf eventually stole the shares of the others:

*Ex.24: P.BM EA 10052 3, 6-13*

*iw=n pš=s iw=n irt=s m 6 dnyt iw=n dit dnyt 2 n imn ḥꜥw s3 šmꜥ wdḥw ḥri r-  
dd ink i-w3ḥ d(r)t=tn iw=f dit n=n 4.t dnyt m p3 4 gr inn p3y=w f3 n inr dy  
w3ḥ m-di ʕḥ-n-niwt ns mwt t3 ḥbs n dd-m-šnb pr-p3-t3w m p3 hrw ḥr ir t3y  
sny n mwt-m-wi3 t3 ḥmt n pr-p3-t3w šm r p3 nty bw-ḥ3ꜥ=f im iw=s dd n=f st  
ḥnw in=w p3 hd iw mniw bw-ḥ3ꜥ=f ii i-r-m sš-md3t-nṛ ns-imn ḥ3y p3-wr-ʕ3  
nfw p3-wr-ʕ3 ḥ3y p3-ʕ3-m-t3-wmtt s3 k3k3 imn-ḥꜥw s3 mwt-m-ḥ3b dmd 6 iw=w*

<sup>197</sup> An addition (*r-dḃ3 irp .... iw*) was made above this section, but Peet was unable to read it in its entirety. It seems clear that Amenkhau gave silver in exchange for wine in some form or other.

*in p3 β-n-inr m-di ʕnh-n-niwt ns-mwt t3 hmt n pr-p3-t3w iw=w šsp t3y=n 4  
dnyt iw=w it3=w*

*We divided it and we made 6 parts and we gave 2 parts to Amenkhau son of singer of Provisions Hori saying “I was the one who guided your hand” He gave to us 4 shares for the 4 of us likewise. Their stone weight is lying there in the possession of Townswoman Nesmut the wife of the Trumpeter Perpatjau this day. Now this sister of Mutemmwia, the wife of Perpatjau, went to the place in which Bukhaaf was and said to him “They have been to bring away the silver” The Herdsman Bukhaaf came with the Scribe of the Divine Records Nesamun, the Measurer Paweraa, the Measurer Paahemtamet son of Qaqa and Amenkhau son of Mutemhab. Total 6. They brought the stone weight from the possession of Townswoman Nesmut the wife of Perpatjau and they took our 4 shares and stole them.’*

From this, we can say with a degree of certainty that Shedsukhons, Perpatjau, Nesamun called Tjaybay, Amenkhau son of the Singer of the Offering table Hori, who appears to be the one who showed them where the tomb was, and Userhetnakht received silver from their robberies. Nesmut, by her familial relation with Perpatjau, is also likely to have benefitted from the silver that was brought into her home. However, the text also states that Bukhaaf came to receive his share of the silver after Nesmut informed him of this robbery, but left with the shares of almost every member of the splinter group. This is perhaps an indication that the group of Shedsukhons et al. did not get ‘permission’ from Bukhaaf to rob a tomb for themselves, and therefore Bukhaaf took their silver as punishment. The silver being taken by Bukhaaf could be indicative of some form of hierarchy within robbery groups, with Bukhaaf as the leader of the group of men he lists in his own testimony, though it is impossible to say where Shedsukhons et al. would have fallen within this hierarchy, but were clearly organised enough and had contacts that could aid them in robbing the tomb.

#### 5.4.6. Analysis

While there are some discrepancies in the testimonies, the overall core narrative of this particular robbery can easily be attained. We can see that a group of five men, Shedsukhons, Perpatjau, Amenkhau son of the Singer of the Offering Table Hori, Userhetnakht, and Nesamun called Tjaybay, went to rob the tomb of Queen Tyti together. This robbery was undertaken without the knowledge of the leader of the gang, Bukhaaf, who demanded a share of the silver they had stolen when he found out. The silver is found to be a mummy case taken from the tomb of Queen Tyti, a source of

contention between the Tribunal and Nesamun, but still a certainty given the number of testimonies from this group that state that it was what was stolen. Also learned through the construction of the core narrative is the role played by those not involved in the robbery itself that either aided the thieves of this group, or were brought because they have a social/familial relationship with those involved. We find that Townswoman Nesmut, though not part of the group that robbed the tomb, did aid the thieves in their endeavours by storing the stolen silver in her, and Perpatjau's, basement. Slave Degay, on the other hand, was not involved, but was brought before them because he belonged to Bukhaaf, and therefore was believed to have knowledge of the robberies committed by Bukhaaf and his gang. Bukhaaf's explanation as to where the stolen silver ended up demonstrates that the wider Theban populace were benefitting from the robberies even if they did not actively participate in them. Not only is the core narrative effectively established for modern readers, through close examination of this group, but some of the Tribunal's methods to establish the core narrative, through the examination of those with socio-familial relations to the robbers, so as to gain as much of the narrative as possible.

### **5.5. Case Study: A Robbery Group from P.Mayer A**

The testimonies in P.Mayer A are very similar to those of P.BM EA 10052 as they follow the same patterns of questions and answers. In addition to the Bukhaaf group, the group associated with Foreigner Paykamen, from P.Mayer A, has been chosen<sup>198</sup> in order to provide a well-rounded view of different types of robberies and group organisation. P.Mayer A itself has three identifiable groups of robbers associated with crimes in different parts of the Theban necropolis. As has been done with the other testimonies in this chapter, this section will look at how each testimony corroborates with its companions, and see what effect this has on the overall core narrative of the story we as modern readers are trying to piece together, and also how it might impact on the Tribunal's questioning strategy.

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<sup>198</sup> It is noted that some robbers that appear in P.Mayer A, namely Bukhaaf and some of his fellow thieves, also appear in P.BM EA 10052 (See Bukhaaf group in previous section). To avoid possible confusion, and show a diverse range of robberies/accused, a completely different group, which is unconnected with Bukhaaf and his gang, has been chosen for this section.

### 5.5.1. Who is in the Robbery Group?

The first task when assessing robbery groups is to find out precisely which people were in one particular group. This can sometimes prove difficult with the TRP as the Tribunal like to bring in other accused to help testify against the men they presuppose have stolen from the tombs, or in this case the *pr-n-st3*.<sup>199</sup> In the case of this particular group the list of robbers is provided by Foreigner Paykamen in his initial statement to the Tribunal:

#### *Ex.25: P.Mayer A 1, 11-13*

*dd=f tw=i hnw.k(w) i-r-m w<sup>c</sup>b t3t3-šri s3 it ntr hri t3 hwt ntr sš p3-b3ki s3 ns-  
imn n pr pn 3<sup>c</sup> ns-mntw n pr mnti nb iwnw 3<sup>c</sup> p3-nhsy s3 t3t wn m hm ntr m  
sbk n pr nh t3ty w<sup>c</sup> rmt iw n-sw p3-nhsy s3 t3t wn m hm ntr n sbk pr nh dmd 6*

*He said, "I went with the Wab Priest Tetisberi son of the Divine Father of the temple Hori, the Scribe Paybaki son of Nesamun of this temple, the Foreigner Nesmontu of the temple of Montu Lord of Heliopolis, Foreigner Panehesy son of Tjat who was a priest of Sobek of Perankh and Tjaty a man belonging to Panehesy son of Tjat who was a priest of Sobek of Perankh, total 6."*

This is useful for both the Tribunal and for us as it gives us a distinct group of thieves, and enables us to build up more of the core narrative surrounding the robberies. It also demonstrates to us that these men also had close socio-familial ties, as many of them are priests who worked at the dual temple of Sobek and Horus, or the temple of Montu at Thebes. Vernus (2003: 34) notes that all the accused in the TRP are employed, even if only in subordinate positions, with a few who held higher ranks such as Scribe of the Army or Divine Father. Those accused are ordinary people, not marginal individuals or outcasts, thus demonstrating to us that those who robbed the tombs were not without means and certainly not common criminals as so often they have been portrayed.

Paykamen's testimony is further corroborated by the testimony of the Chief of the Medjay Nesamun:

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<sup>199</sup> Since the translation of *pr-n-st3* remains unclear, it may have been a form of portable shrine, the original Egyptian will be used here.

*Ex.26: P.Mayer A 1, 13-16*

*in hry-md3y ns-imn dd.tw n=f ih p3 shr gm i-ir=k n3 rmt dd=f sdm(=i) r-dd n3  
rmt hnw r irt h3w m p3y pr-n-st3 iw=i sm iw=i gm p3y 6 rmt i-dd it3 p3-k3mn  
k3 iw=i irt n=w mtrt m p3 hrw*

*‘Chief Medjay Nesamun was brought. He was asked, “What is the story of your finding the men?” He said, “I heard that that men had gone to appropriate from the pr-n-st3. I went and I found these 6 men who thief Paykamen said exactly and I bear witness to them on this day.”’*

Having been caught by the Chief Medjay Nesamun, thus enabling Nesamun to testify against Paykamen, and having his list of thieves corroborated in Nesamun’s testimony shows the Tribunal that there is truth in Paykamen’s words. Other testimonies from thieves listed by Paykamen make note of the number of thieves but do not list their names. As far as we can tell, a lot of the early testimonies are broken so if the thieves were listed, then they were likely to have come at the end of the testimonies that are now lost. A possible alternative is that the names were written at one point, most likely at the end of lost testimonies, but some form of ‘scribification’ has occurred in the latter testimonies. Several testimonies give us the precise number of men that were involved in the robbing of the *pr-n-st3* or were part of the group. There is another testimony, from Foreigner Nesmontu, which helps support this number:

*Ex.27: P.Mayer A 1, 23*

*dd=f tw=i hnw.k(w) iw(=i) gm p3y 5 rmt ink mh 6*

*He said, “I went and (I) found these 5 men, I being the sixth.”’*

While he does not explicitly state all the men who were with him, we know that from Paykamen’s testimony that Foreigner Nesmontu was listed as being one of his companions so Nesmontu corroborating this here is not surprising. Nevertheless, it does perhaps provide the Tribunal with extra knowledge security when discussing this number with others and provides us with the same security when defining the limits of this group. To add to this, Paykamen is also questioned again by the Tribunal in order to gain more information, he reiterates:

*Ex.28: P.Mayer A 1, 18-19*

*dd=f p3 iry=i ʕk3 p3 dd=i h3n=f m r=f r-dd ink i-ir p3 i-ir[=i] iw=i [m] p3y 6  
rmt*

*He said, "What I said is exactly what I did." He confessed (it) in his deposition saying "It was [I] who did what I did when I was [part of] these 6 men..."*

By restating the number of people he was with when he committed the crimes in the *pr-n-st3*, he provides both the Tribunal and us with the confirmation of the exact numbers that were part of this group. This is unlike the Bukhaaf group, where the group has to be determined from a large list of names and subsequent testimonies. Here the list of names is short, and subsequent testimonies confirm the number of men within the testimonies without hesitation.

**5.5.2. Who Stole from the *pr-n-st3*?**

While we have the list of six names of the men who were part of the group in the *pr-n-st3*, provided by Paykamen, we do not know all the roles these men played in the robbery. Not all of those who stole from the *pr-n-st3* are questioned by the Tribunal.<sup>200</sup> However, others who are questioned provide us with the information about those who were involved in the robbery of the *pr-n-st3*. In fact, most of our information about those who stole from the *pr-n-st3* comes from those who are either not directly involved, or not involved at all in the thefts. Just like the Bukhaaf group, this perhaps demonstrates a wider involvement, acknowledgement, and acceptance of tomb robbery in the Theban area, as well as participation from those who did not rob the tombs. Herdsman Qaru's testimony provides confirmation of some of these men also:

*Ex.29: P.Mayer A 2, 3-6*

*dd=f t3y=i 3ʕ p3y-hnw iw=f dit=i r s3w nhy it iw=i mh wʕ ʕrk m ik3k iw=i hpr  
m iy r-hry iw=i sdm hrw n3 rmt iw=w m-hnw p3y r-hd iw=i dit irt=i m t3 k-r-  
r iw=i ptr p3y-b3ki t3t3-sri iw=w n-hnw*

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<sup>200</sup> This shall be covered in section 5.5.3. of this chapter.

*He said, “The Foreigner Paybenu took me and put me to watch over some barley, I filled a sack with [...] grain. I was coming down and I heard the sound of men, they being in the silver house.<sup>201</sup> I (put my eye) to the hole, and I saw Paybaki and Tetisberi inside.”*

With Qaru’s testimony, we have a witness who places several members of Paykamen’s group at the scene of the crime, which is vital for the Tribunal’s continued questioning, and establishment of core narrative. This proves their assumptions that these men were involved, and gives them new evidence with which to question others, thus further securing their mandate for presuppositions against the accused. Qaru’s is not the only testimony that provides the Tribunal with information as to the names of thieves in the *pr-n-st3*. Wab Priest Nesamun son of Paybaki,<sup>202</sup> lists several men whom he claims to have seen in the treasury, and were involved in the robberies with his father:

*Ex.30: P.Mayer A 2, 13-15*

*sw smtr dd=f ptr=i k3wtw ꜥh3wtw-nfr iw=f n-hnw-m t3y st nty p3y pr-n-st3 im i-r-m mniw nfr s3 ꜥpy-wr hmw wn-m-di-hwy s3 ꜥh3ty dmd 3 mntw n3 ptr=i ꜥk3 inn nw.tw nbw m ntw n3 nty rh*

*‘He was examined again. He said, “I saw the Workman Abatynefer inside, in this place in which the pr-n-st3 along with Herdsman Nefer son of Hapywer, Artisan Wenemduibuy son of Abauty. Total 3. They are the ones who I saw exactly. If gold was obtained, they are the ones who know.”*

It is clear that the men Nesamun son of Paybaki tells the Tribunal about are not men that belong to the Paykamen group. While this is true, the reason that Nesamun has been brought is because he is a familial relation of Paybaki, and therefore the Tribunal presuppose that he will know precisely the men who were with his father when he stole from the *pr-n-st3*. Of course, the Tribunal’s presupposition proves to be wrong, but we do get more information on another robbery that took place that is unconnected to the Paykamen group, and now know that Paybaki was involved in more than one robbery from the *pr-n-st3*. The clue for us that the two robberies are unconnected is the mention of gold being stolen. Paykamen’s group are responsible for

<sup>201</sup> Can be idiomatically translated as “treasury” but the literal meaning has been used in this translation.

<sup>202</sup> Paybaki being one of the thieves listed as being with Paykamen in the *pr-n-st3* and Nesamun’s father.



stealing copper from the *pr-n-st*<sup>3</sup>, not gold, so this would be the indication to the Tribunal, and to us, that these men are not connected to the group.

### 5.5.3. Who is Questioned by the Tribunal?

Much like the Efnamun group of P.BM EA 10052, the Paykamen group does not have testimonies from all the robbers listed by Paykamen as being involved in the robberies. We get the confirmation that Nesmontu was indeed one of the men with whom Paykamen robbed the *pr-n-st*<sup>3</sup>, and he is not about to deny it. However, the item that he admits to taking away from the thieves cannot be translated accurately, but it would seem that this item is made from metal.

#### *Ex.31: P.Mayer A 1, 23-24*


*dd=f tw=i ḥnw.k(w) iw=i gm p3 5 rmt ink mḥ 6 iw=i it3 w<sup>c</sup> miw im=w iw=i irt h3w=s*

*He said, "I went and I found these 5 men and I being the sixth. I took an instrument of metal<sup>203</sup> from them and appropriated it."*

As shown in Ex.29, Qaru was not directly involved in stealing copper from the *pr-n-st*<sup>3</sup>, but did benefit from it. He would appear to have a social relationship with some of the robbers that allowed him to profit from the robberies. As noted before, personal relationships between the robbers and the people around them greatly influence the people who are brought before the Tribunal, whether or not these people know it or not (Rapport, 1997: 25), and this is what we are seeing here. Again, these groups are perhaps showing us a wider acceptance and involvement in tomb robbery and the division of goods than we might expect, almost to the point where we could suggest that most people were aware of it occurring but there was no action from local authorities.

Qaru has been brought before the Tribunal not only because he was involved in dividing the copper, but also because he knew the thieves. This is a common theme when looking at the men and women brought to trial, as many of them seem to be family members whom the Tribunal believe know something about their familial

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<sup>203</sup> There is not a concrete reading of *miw* . Clearly, it is something of copper that the thieves stole, due to its determinative, but Peet offers no suggestion for translation. The Wörterbuch, however, provides the translation of "Instrument of metal" (Wb 2, 42.9) so this is the reading that will be taken here.

relation's activities in the tombs. Another part of Qaru's testimony mentions the receiving of copper for sacks of grain:

*Ex.32: P.Mayer A 2, 6-9*

*iw=i ptr p3-b3ki t3B-šri iw=w m-hnw iw=i (hr) ʕš n=f r-dd mi iw(=f) iy n=i r-bl iw š-k 2 n hmt m-d(r)t=f iw=f dit=w n=i iw=i dit n=f bty h3r 1 ½ r-db3=w iw=i it3 wʕ im=w iw=i dit wʕ n 3ʕʕ n=f-sw*

*I saw Pabaki and Tetisberi inside. I called to him saying "Come" (He) came out to me with two rings of copper in his hand, and he gave them to me and I gave to him 1 ½ kehar of emmer in exchange for them. I took one of them and I gave one to the Foreigner Anefsu.'*

What is evidenced here is the reason many of those accused were stealing from the tombs and temples. The 19th and 20th Dynasties were plagued with economic problems because of localised corruption. As mentioned in Chapter One, the Pharaoh was theoretically in control of the temples of Egypt but in reality, most temples were under the control of the Priests (Eyre, 2004: 117-119). When we look at the situation at a local level, we find that it was priests or the local magistrates that controlled the temples and the surrounding land (Lehner, 2000: 295). The central government of Egypt was almost absent from local social matters, and dealing with these was usually left to the power structure that existed in the area (Eyre, 2010: 167) as villages and towns were more often than not autonomous units that were separate from central government (Lehner, 2000: 286). Local officials, such as Governors, often performed two functions within the area: one, as the local authority and two, as an official of the temples (Eyre, 2004: 12; Eyre, 2010: 158). This local level control did allow the local governance to wield more power than was generally acceptable, thus allowing corruption to take root at lower levels before spreading to the highest levels of local government during later periods. During food shortages, such as the ones seen during the 19th and 20<sup>th</sup> Dynasties when tomb robbery was at its height, the control of the land allowed this corruption to spread out as the local governance directly controlled how the land was being used and where it was being distributed (Eyre, 2010: 165). It was during the Ramesside period, when the tomb robberies took place, that there was a steady decline in the resources of the temples, chiefly stemming from the end of the reign of Ramesses III, which led to power struggles and food shortages across Egypt. This culminated in the worker's strikes recorded in the Turin Strike papyrus. What we can see in the testimony of Qaru is possible evidence for the thieves stealing from a

temple in order to purchase grain for them to feed their families as copper was a valuable commodity in this period.

The next three testimonies are from those accused who are wholly unconnected to the robberies themselves, but who share a familial relationship with a member of the original robbery group. As mentioned above, the social and familial relationships of the accused have an impact on those who are brought before the Tribunal with the Tribunal seemingly playing on the notion of kinship and social structure that must have held these groups together (Smedley, 1998: 691; Meskell, 2007: 26). What we find in the cases of Nesamun son of Paybaki, Wennakhu son of Tjaty, and Townswoman Inneri wife of Tetisheri, is that they have been brought because of their familial relationships to the accused. This is similar to the case of Townswoman Nesmut of the Bukhaaf group who was brought before the Tribunal because she was the wife of Perpatjau, a thief. The only difference between the cases is that Nesmut was actually involved with the robberies with her husband, whereas the three accused from the Paykamen group have nothing to do with the robberies, though the Tribunal presuppose that they do. From the three testimonies, we can see that a significant amount of time between the robberies and the trials of the thieves has occurred. Paybaki, Tjaty, and Tetisheri are not brought before the Tribunal at all. There are two reasons for why this has occurred; these men managed to leave the area and therefore have never been caught, or, these men have died since the robberies took place. The latter of these reasons is more likely as Nesamun states:

*Ex.33: P.Mayer A 2, 12*

*dd=f wn p3y=i it im n m3t iw=i m dd šri bw rh=i p3 shr i-ir=f*

*He said, "My father was there, it's true, when I was a little child. I do not know what he did."*

It is clear from context that Nesamun is now no longer the small child he describes in his testimony, but is in fact an adult. Therefore, it is theoretically possible that his father has since died or run away, and consequently he has been brought before the Tribunal to answer questions about his father's crimes. This is the case with both Wennakhu and Inneri too, as they are questioned about relatives who are not available for the Tribunal to examine. These types of examinations, that involve familial relations, are not uncommon throughout the corpus as the Tribunal seek to get as much

information from people as possible. It is not incorrect for the Tribunal to presuppose that familial relations of the accused will know something about the robberies that took place, so when those accused are not available for examination it is only logical that anyone who might know of their activities is brought in for questioning. This has already been shown to be an impolite speech act on behalf of the Tribunal. We can see this in modern policing techniques whereby if someone commits a crime, those closest to them, either familial or social relations, are questioned about what they know about said person's activities.

#### 5.5.4. What Was Stolen by the Thieves?

Since many of the testimonies of this group are either short, broken, or from people who were not present when the robberies were committed, we do not know precisely everything that was stolen. From Herdsman Qaru's testimony (Ex.32) we know that at least two rings of copper were stolen from the *pr-n-st3* by the thieves. It is very likely that more than this was stolen by the thieves at the time as two copper rings for one man is a very small amount of loot but we do not have enough evidence to say precisely what it was that they took. Nesmontu's testimony provides us with some insight into what was taken, by stating that the group stole a copper '*miw*'. Paykamen's testimony also backs up Nesmontu's assertion that they stole a copper *miw*:

##### *Ex.34: P.Mayer A 1, 19-20*

*ink i-ir p3 i-ir [=i] iw=i p3y 6 rmt iw=i it3 w<sup>t</sup> miw im i-irt hrw=s*

*'...I was one who did what [I] did being one [of] these 6 men and I took an implement of metal from them and appropriated it.'*

Other than the two copper rings and this item, we do not know what the thieves took from the *pr-n-st3*, as it is not explicitly mentioned. We can hypothesise that there might have been more taken than has been explicitly stated, but this might have been by the other robbers that the Tribunal have been unable to question. On the other hand, the testimony of Chief Medjay Nesamun suggests that he arrested them at the scene of the crime or possibly, very soon afterwards, so it is conceivable that they did not steal anything else.

### 5.5.5. Where Was the Copper Kept?

Much like the Bukhaaf and Efnamun groups, the thieves needed somewhere to store their booty after having robbed the *pr-n-st3*. From the testimony of Townswoman Inneri we know where the copper of the Paykamen group was stored:

#### *Ex.35: P.Mayer A Page 3 Lines 4-5*

*dd(=s) in=f nhy n hmt iw n-sw p3y pr-n-st3 iw=n irt swt=n iw=n wnm=w*

*‘(She) said to him, “He brought away some copper which belonged to this pr-n-st3. We traded it and we used it up.”’*

While this is not an explicit admittance of having stored the copper, Townswoman Inneri must have stored the copper in her house at some point as spending it all at once would have looked suspicious to people around them. This is the only testimony that states that the copper that they received was not immediately spent or traded with someone outside the temple. It also bears great similarity to the storage of loot from the Shedsukhons group in P.BM EA 10052, where Townswoman Nesmut stores her husband’s stolen silver in their basement. Perhaps this indicates a wider acceptance of tomb robbery, as it seems neither wife objects to the storage of stolen goods, or perhaps a standard for ‘after robbery activities’ where the loot was hidden for a period of time in the house of one of the thieves, before later being divided up to divert suspicion. Either way, it would seem that robberies involved far more people than just those who went to rob a tomb, and these people were often friends or family members who were complicit in covering up the crime as well as perhaps benefitting from it.

### 5.5.6. Who Received Copper?

There are three identifiable people who received copper from the robberies of the *pr-n-st3*. One is the Townswoman Inneri who, as mentioned in the last section, received it from her husband Tetisher. Herdsman Qaru (Ex.32) states that it was Paykamen that he received his share in return for grain. Finally, there is the testimony of Wennakht son of Tjaty who recounts a tale told to him by his mother of how his father received copper:

Ex.36: P.Mayer A 2, 19-21

*dd=f i-ir hdb p3y=i it iw=i m šri iw t3y=i mwt dd n=i di hry-mḏ3y ns-ḫmn nhy  
n m33<sup>204</sup> n ḫmt n p3y=k it hr ir n3 hrw-pḏt n n3 3<sup>cc</sup> hdb p3y=k it iw=w it3=i r  
smtr iw ns-ḫmn it3 n3 ḫmt i-di=f n=i sw w3ḫ m kn [...]*

*He said, “My father was killed when I was a child and my mother said to me, “The Chief Medjay Nesamun gave some instruments of copper to your father. Now when the Troop Captains of the Foreigners killed your father and took (me) for examination. Nesamun took the (pieces of) copper he had gave to me.”<sup>205</sup> It lies [...]*”

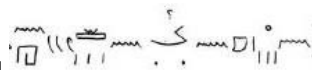
This testimony shows us that not only did Tjaty and his wife receive copper from the robberies, but also that Chief Medjay Nesamun, the one responsible for catching the thieves, was also responsible for handing out copper too and still had it to that day. It would therefore suggest that Nesamun was not as innocent as he had implied or the Tribunal had presumed, and highlights the corruption of the local governance and security forces during this period.

### 5.5.7. Analysis

This case study provided us with an opportunity to see how core narrative can be established when the majority of a robbery group is not brought before the Tribunal. It is here that we see the Tribunal begin to rely on socio-familial relationships between the accused in order to establish the events surrounding the robberies. This is important as it shows us that it is not just the accused that are brought for interrogation but family and friends too, as it appears that the investigations into the robberies will leave no avenue of inquiry uninvestigation in order to establish core narrative. As it is, these testimonies of socio-familial relations provide us with a clear list of thieves; a knowledge of what was taken from the *pr-n-st3*, and how the loot was divided. The testimony of Chief Medjay Nesamun, also provides us with an insight into the corruption of local officials that may have been allowing tomb robbery to occur on their watch.

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<sup>204</sup> Peet transcribed



The word *m33* remains unclear.

<sup>205</sup> Translation consistent with Černý & Groll (1993: 485).

# Chapter Six: Case Study - Nesamun Called Tjaybay; A Testimony Study Through Narrative, Grammar, and Word Choice

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## 6.1. Introduction

The testimony of Nesamun called Tjaybay is unique in the TRP, as its length demonstrates an accused's extensive use of focus constructions and denial phrases, as well as using certain specific words in order to bypass the Tribunal's accusations. Throughout his testimony, Nesamun argues his case with the Tribunal over what it is that he stole and where it came from. There is no denial of having committed a crime here, merely a discourse between the Tribunal and Nesamun on the nature of his involvement in the robberies. Unlike the other thieves across the corpus, Nesamun's testimony is an exceptional example, which demonstrates how the discourse between the Tribunal and accused can affect the way in which the Tribunal's questions are phrased and the accused's answers are given. It also demonstrates an accused taking active control of the discourse for their own benefit, by being impolite towards the Tribunal, something we would not expect from an accused with a low social status.

It could be argued that Nesamun's testimony is one that falls under the category of an 'acceptance' answer. While this is true, Nesamun is also lying to the Tribunal about his true involvement in the robberies and continuously uses denial phrases in an attempt to exonerate himself. For this reason, Nesamun's answer has been classed as a denial response, and will be treated as such.

This particular case study will discuss and analyse how Nesamun goes about constructing his argument, building on the work done in Chapters Three and Four. Particular focus will be on the use of denial, how the Tribunal responds to the denial, the use of particular terminology, and how the overall testimony plays out because of this. What will also be discussed is the way in which both parties use FTAs and impolite speech acts, as demonstrated in Chapter Three, to affect the face of the other during discourse to elicit a certain type of answer from either party.

## 6.2. Nesamun's Word Choice<sup>206</sup>

One of the most interesting aspects of Nesamun called Tjaybay's testimony, aside from the focus constructions, is the way in which he utilises different terms for the place he stole the things from (i.e. the tombs), and the names for the things he actually stole. By using these specific phrases, Nesamun attempts to manoeuvre through his testimony by allowing the Tribunal to take specific inferences based on the words he has used and draw conclusions from that. It is often not clear when simply reading a translation which Egyptian words a person has used to identify something, as the translator often does not make this distinction. This was something noticed when translating P.BM EA 10052, and it was felt that it should be included in the thesis as a separate component due to its interesting nature.

To get an accurate picture of how Nesamun's word usage changes over the course of his testimony it is best that the testimony is looked at as a whole, and the relevant information highlighted, before it is analysed in context. This will be done by highlighting the testimony to show several different aspects, i.e. the mentioning of the tombs and the argument over silver, that will be discussed; Nesamun mentioning tombs, Nesamun mentioning silver, the Tribunal mentioning tombs, and the Tribunal mentioning silver.<sup>207</sup> By doing this a more accurate picture of when and how the two parties are using the words to take control of the testimony or infer guilt/innocence can be gained.

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<sup>206</sup> References made to the text in the following sections (6.3.1., 6.3.2., & 6.7) will be done by page and line number (eg. 5.7 = page 5 line 7) so as to avoid unnecessary repetition of the translation above. If necessary, please refer back to the translation.

<sup>207</sup> Elements are bolded in translation in order for the reader to find the relevant sections of text referred to in analysis.



smtr in ps-sntr ns-imn dd.tw n=f t3y-b3y n pr imn dd.tw n=f <sup>208</sup>nh-n-nb <sup>c</sup>.w.s r-dd mtw=i dd <sup>c</sup>d3 iw=f hšb dd.tw kš dd.tw n=f i-dd n=i p3 shr n šm i-ir=tn i-r-m n3 iry tiwt r ph **n3 swt 3yt** iw=tn in **p3y hđ** im r-bl iw=tn irt h3w=f dd=f i-ir.n=n šm r **w<sup>c</sup> h<sup>c</sup>** iw=n in nh[y] **hnw n hđ** im iw=n pš=w n=n m p3 5 rmt irw smtr=f m b-d-n dd=f bpy=i ptr nty nb gr p3 ptr=i p3 dd=i whm smtr=f m b-d-n dd=f i-w3h dd=i dd n=f t3ty **ih n hnw** n3 in=tn <dd=f> nhy **tbw n hđ rr n nbw**<sup>209</sup> ir smtr=f <sup>c</sup>n m b-d-n dd=f in=n **p3 hđ** i-dd=i <sup>c</sup>k3 dd n=f t3ty i-dd n=i rmt wn i-r-m=k dd=f wn šwty p3y-nfr n mr-wr **hn<sup>c</sup> n3 rmt i-dd n3 kthw it3w** p3y=w rn sp sn whm smtr=f m b-d-n dd=f i-w3h dd=i dd=f in(=n)<sup>210</sup> **t3 swht n hđ m t3 st** iw=n wš3š3=s iw=n dit=s [n] **w<sup>c</sup> msti** iw=n pš=s n=n m p3 5 rmt dd šs dhwt-y-ms n p3 hr **w<sup>c</sup> st t3 in=f n3 tbw n hđ** [n3] ipt im kt t3 in=f **t3y swht** im r mh **st 2.t** ir smtr=f m b-d-n dd=f i-w3h dd=i dd=f **p3y hđ** p3 in=n r-bl bpy=i ptr nty nb gr ir smtr=f m n3 d-n-d-n p3 m-n-n dd=f i-w3h dd=i dd=f p3 shr šm i-ir=i <sup>c</sup>k3 p3y dd n=f sš ns-imn-ipt n **p3 hr** i-dd n=i rmt nb dy n=w hđ m **p3y hđ** dd=f dd.tw n sš t3t3-šri hry-<sup>c</sup>3 p3-k3-m-p3-wb3 iw i-ir=n dit n=w m-dr sdm(=w) sw iw bpy=w šm r t3y st i-r-m=n iw f3 šri n inr p3 di=n n=w m-im=f iw bn p3 inr <sup>c</sup>3 i-pš=n m-im=f iwn3 whm smtr=f dd n=f sš ns-imn-ipt n **p3 hr** ir **t3 st** i-dd=k in=<k> **n3 tbw n hđ** im **kt st mh 2-t** t3y r-wi3.tw **p3y hđ** <sup>c</sup>3 dd=f <sup>c</sup>d3 i-ir **n3 tbw r p3 hđ** <sup>c</sup>3 i-dd=i n=tn <sup>c</sup>n **w<sup>c</sup> st w<sup>c</sup>ty** t3 wn=n whm smtr=f m b-d-n n3 d-n-d-n p[3 m]-n-n bpy=f hn nty nb wpw-(hr) p3 p3y dd=f [...]

Examination. The Incense Preparer Nesamun called Tjaybay of the House of Amun was brought. There was given to him an oath of the lord l.p.b saying “If I speak falsely may I be mutilated and sent (to) Kush” He was asked, “Tell me the story of your going with your companions to reach **the great places** when you brought **the silver** away from there and you disposed of it?” He said, “We went to **one tomb** and we brought some **things of silver** from there. We divided them up between us, the 5 men.” He was examined with the stick. He said, “I saw nothing else. What I have seen is what I said.” He was examined again with the stick. He said, “Stop! I will tell!” The Vizier said to him “What **things** were the ones you brought away?” <He said> “Some **vases of silver** and **rwrw bands**

<sup>208</sup> There is a pronoun switch from =i to =f in this section, though both of these still refer to Nesamun.

<sup>209</sup> rr n nbw gold ‘bands’ attached to furniture and equipment (Coptic λΗΛ) (Junge, 2005: 185)

<sup>210</sup> Another possible translation is in t3 swht n hđ ‘The silver mummy case was taken...’

*of gold.” He was examined again with the stick. He said, “We brought **the silver** which I said exactly.” The Vizier said to him “Tell to me the men who were with you.” He said “There was the Merchant Paynefer of Merwer<sup>211</sup> together with the men, the list of whom the other thieves have (already) spoken. He was examined again with the stick. He said, “Stop! I will tell!” He said, “We brought away **the silver mummy case** from the **tomb**. We broke it up, we put it in a basket and we divided it for ourselves between 5 men.” The scribe of the necropolis Thutmose said, “**One tomb** is where he took the **vases of silver and fittings** from, another is where he took this **mummy case from – a second tomb**.” He was examined with the stick. He said, “Stop! I will tell!” He said “This **silver** is what we brought away. I saw nothing else.” He was examined with the stick and the screw. He said, “Stop! I will tell!” He said, “This is exactly the story of my going.” The Scribe Nesamunope of the Necropolis said to him, “Tell me every man who was given **silver out of this silver**.” He said, “Some was given to the scribe Tetisberi and to the Chief porter Pakaempauba. We gave to them when they heard it, though they did not go into this **tomb** with us. But it was a smaller stone weight which we gave to them from, it, and not the larger stone weight which we divided it up with.” He was examined again. The Scribe Nesamunope of the Necropolis said to him “As for the **tomb** from which you said <you> brought away the **vases of silver** from, this is another, **second tomb**, quite separate from this **great silver**.” He said, “False! The **vases** belong to the **great silver**, which I have told you about already. **One single tomb** was what we opened.” He was examined again with the birch, the stick and the screw. He would not confess anything beyond what he had said.’*

The extent to which words with similar meanings, but crucially not the same meaning, are used by both the Tribunal and Nesamun is noticeable. Terminology change is key to the overall understanding of this entire testimony as in some places it directly feeds into, or causes, the argument and denial between the two parties.

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<sup>211</sup> Mewer is a large settlement at the entrance to the Fayoum, south of Lahun (Kom Madinet Ghurab), where there was an also economically significant portion of the Memphite court, the ‘Harem Palace’ (Junge, 2005:185, cf Kemp, 1978: 122ff).

### 6.2.1. *swt ʕ3yt* vs *ʕḥʕ/st* – Terminology Change When Discussing Tombs

The terms for ‘tomb’ are used interchangeably by both the Tribunal and by Nesamun in order to convey meaning to the other party. The first instance a term for tombs appears is in the Tribunal’s opening question to Nesamun (5.5-7). In this instance the terminology, *swt ʕ3yt* ‘Great Places’, clearly refers to Royal tombs, as those are the ones that the Tribunal are investigating. The Tribunal seem to be making it clear to Nesamun, using a direct address imperative, that they wish to know about his activities in the Royal tombs above all else. The Tribunal are already basing their questioning on the previous testimonies of Nesamun’s accomplices, as seen in the Bukhaaf group case study in Chapter Five, so they would be aware that he is implicated in robbing a tomb, though they are not aware of the details. However, Nesamun called Tjaybay’s response to this question uses entirely different terminology.

When Nesamun addresses the Tribunal (5.7), he uses the term, *ʕḥʕ* ‘tomb’, referring only to tombs that are of non-royal origin. Here, it seems that Nesamun is utilising a change in terminology, to subvert the Tribunal’s presupposition that he has been violating the royal tombs. His use of language here would suggest that this is because he wishes to change the Tribunal’s thoughts on his involvement. When the Tribunal hears the word *ʕḥʕ* it is possible that they would notice that Nesamun was referring to a non-Royal tomb at this point since *ʕḥʕ* is used by other accused to refer to such tombs. Any time a royal tomb is mentioned, it is either referred to by name (*wn=i p3y ḥr n ḥmt-nsu ns-mwt* (P.Mayer A 4.2-3)), or referred to using specific terms such as *ist* or *mr* (P.Abbott 1.1, 4.1.). In P.Abbott when both Royal tombs and Non-royal tombs are spoken of in the same sentence, non-royal tombs are referred to using *ʕḥʕ*, whereas Royal tombs have the terms mentioned previously. In P.BM EA 10052 Royal tombs are referred to using *p3 ḥr* or *swt ʕ3yt*. The only time it could be said that *ʕḥʕ* is used to refer to Royal tombs is when the accused speaks more generally of *ʕḥʕ n w3st niwt* ‘Tombs on the West of Thebes’ but when a Royal tomb is talked about specifically *ʕḥʕ* is never used in this corpus.

In a sense, it would appear Nesamun is answering the question asked, but not in the manner the Tribunal might want him to. What is interesting at this point is not the use of the word *ʕḥʕ*, but the vague and generalised nature with which he seems to describe the silver taken from that tomb. While he does not specifically deny being in a Royal tomb at this point with the use *ʕḥʕ*, Nesamun appears to be subtly inferring that

the things that he stole from the tomb were not anything of note, thus inferring further that the tomb was non-royal.

When Nesamun next mentions tombs in his testimony (5.13) he uses the most basic word for them *st* (Literally meaning ‘place’ or simply ‘tomb’ depending on translation and is the most generic way in which to describe one (Faulkner, 1962:206; Lesko & Lesko, 2002: 2; Černý, 1973: 69)) instead of *ḥḥ*. By continuing with this inference, Nesamun seems to give himself no chance of making a mistake: i.e. using the wrong terminology i.e. *p3 hr* or *swt ʕyt*<sup>212</sup> or specifically mentioning that he was in the tomb of a royal. Therefore, he does not provide the Tribunal with the means with which to challenge him. However, in this very same sentence Nesamun appears to make a mistake of a different nature, namely that he stole a silver mummy coffin, which might suggest to the Tribunal that this is something which would have come from a Royal, or higher status, tomb. This will be discussed later in this chapter.

### 6.2.2. *ḥnw n ḥd* & *swḥt* – Terminology Change When Discussing Silver

Aside from the terminology change, when discussing the tombs Nesamun was in, there also seems to be a careful use of terminology when Nesamun speaks about what he stole from the tombs. When the Tribunal initially asks Nesamun what it was that he stole from the tomb he was in, he responds by stating that he stole ‘things of silver’ from the tomb (5.7).

By doing so, it would appear that Nesamun is again being deliberately vague. It is not clear what the Tribunal are supposed to infer from this statement but it is likely that by referencing ‘things of silver’ Nesamun is trying to make the Tribunal take the inference that the things he stole were not important. This is also the same utterance in which he states that he was in a non-royal tomb by using *ḥḥ*. It is possible, therefore, that using the *ḥnw n ḥd* in conjunction with *ḥḥ* when speaking about his crimes that

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<sup>212</sup> *swt ʕyt* ‘Great Places’ is used by the Tribunal to refer to tombs on the West Bank of Thebes. We know that they are at least referring to ‘royal tombs’ when using this phrase, as when they ask about the ‘*swt ʕyt*’ and an accused’s reply states that they stole from a tomb of a royal, the Tribunal do not question this answer. For example: When the Tribunal ask Bukhaaf about the *swt ʕyt*, he replies that he stole from the tomb of Queen Hurbardjat, and the Tribunal accept this as a valid answer, since he mentions her by name and uses the term *p3 hr*. With Nesamun, his attempt to make it seem like he stole from a tomb that is of vague origins (i.e. implying that the tomb was not of importance) they push him for more information, thus discovering that it was a far more significant burial he stole from.

Nesamun is trying to infer to the Tribunal that his crimes were small, and consequently he is not someone they want to speak to in relation to the thefts from the Royal tombs.

We can see evidence that the Tribunal might be picking up on this inference in their follow up question (5.9-10). In it, Tribunal uses the same terminology as Nesamun when they ask him to elaborate on the ‘things’ he says he has stolen. They could have used the word ‘silver’ as they do with other thieves, but it would seem that the Tribunal has picked up on Nesamun’s attempt at inference, i.e. that the things were inconsequential, and are using ‘things’ to make him elaborate further. When Nesamun speaks next, he elaborates further by stating that he stole vases of silver and *rwrw* bands of gold (5.10). As noted by Peet (1930: 140), these items would typically be found in mainly non-royal tombs, both Nesamun and the Tribunal would know this, and because Nesamun has spoken of them in general terms previously he is still inferring that the tomb they come from is non-royal. It appears the Tribunal do not believe that this is the entirety of what he stole and examine him again. It is not until after Nesamun has been examined further that he admits to having stolen a silver mummy case from the tombs (5.13-14).

This ‘silver mummy case’ is the crucial statement in the testimony of Nesamun. Not only does it reveal that Nesamun was lying in his original statement about what he stole, but also that he was not in a non-royal tomb as he originally stated. Admitting to having stolen a silver mummy case from a tomb is, according to Peet (1930: 140) a ‘more heinous crime’ as a mummy case of silver can only have come from a more significant burial, meaning that Nesamun has committed a more serious crime than he originally admitted to. Even though Nesamun has not explicitly stated that he was in a Royal tomb, the Tribunal seem to utilise the information provided by the inference, to challenge his testimony and state that they believe he was in two tombs, one of them being a royal tomb (5.14-15).

It seems that the Tribunal have noticed the inadvertent slip made by Nesamun and have used their new knowledge to accuse him of being in two tombs. If this is so, then this is a clear example of the hearer observing a change in terminology by the speaker, and coming to a different conclusion to the one that had originally been proposed; in this case, Nesamun inadvertently infers that he was in a Royal tomb by stating that he stole a mummy case. This utterance from Nesamun forms the basis of

the argument and denial between Nesamun and the Tribunal throughout the rest of the testimony.

### 6.3. Nesamun's Use of Focus Constructions<sup>213</sup>

As discussed in Chapter Four, focus constructions play a vital part in the accused discussing whether or not he/she was involved in the robberies. The testimony of Nesamun called T'jaybay uses a notable number of focus constructions, compared to other testimonies in the corpus,<sup>214</sup> and by looking at them all here in sequential order a greater understanding of how they are being used in context can be gained.

This first example is a Second Tense example from the beginning of Nesamun's testimony. It comes immediately after the Tribunal have asked how he went to rob the Royal tombs:

*Ex.2: P.BM EA 10052 5, 7*

*dd=f i-ir=n šm r wꜥ ꜥhꜥ iw=n in nh[y] hnw n ḥd im*

*He said, "We went to one tomb and we brought out some things of silver from there..."*

As discussed above, Nesamun uses 'ꜥhꜥ' to infer to the Tribunal that he was in a non-royal tomb rather than in a Royal one as the Tribunal presuppose. This is further emphasised by Nesamun's use of the Second tense in the statement. By stating *i-ir=n šm r wꜥ ꜥhꜥ* 'We only went to one tomb...' This type of word play, plus the use of the Second tense, allows Nesamun to emphasise that they only broke into one tomb, in this case a non-royal tomb. By placing emphasis on the act of going to one tomb, Nesamun begins his defence of his actions by limiting his involvement to just a single tomb and even goes as far as to call it a non-royal tomb in order to infer to the Tribunal that his crime was only minor compared to the ones that they are investigating. At no point throughout the testimony does Nesamun deny having committed a crime. In fact, he fully admits to having been in a tomb. This can be termed the 'accepted element' as both the Tribunal and Nesamun 'accept' that he was in, and has stolen from, a tomb.

<sup>213</sup> Elements of transliteration and translation are repeated in this section to clarify these constructions for the ease of the reader.

<sup>214</sup> This demonstrates the use of focus constructions as a means of deflecting the interrogative FTAs of the Tribunal, which Nesamun receives in a higher number than most accused due to his argumentative nature.

However, Nesamun uses the Second tense to ‘reject’ the Tribunal’s presupposed notion that he was in a Royal tomb, with a ‘contrastive supplementation’ or cancellability statement (Huang, 2007: 70) that suggests that he was in a non-royal tomb instead. With this Second tense, Nesamun derails the Tribunal’s questioning from the beginning of his testimony in his favour and forces them to ask further questions around it in order to determine his guilt.

After Nesamun has admitted stealing ‘things of silver’ from a non-royal tomb the Tribunal respond with a focus construction, of their own:

*Ex.3: P.BM EA 10052 5, 9-10*

*dd n=f t3ty ih n hnw=w n3 in=tn*

*‘The Vizier said to him “What things were the ones you brought away?”’*

As already mentioned in the section above,<sup>215</sup> Nesamun uses very vague terminology to describe the things he stole in order that he might dissuade the Tribunal from thinking that these items were of great value. However, the Tribunal seem to note the inference and use a pseudo-cleft sentence construction here in order to obtain further information about the silver that Nesamun has admitted to stealing. Again, it must be noted that Nesamun does not deny having been involved and is appearing to cooperate fully with the Tribunal, even though he is subtly trying to change the direction of the questioning. The Tribunal is using the pseudo-cleft sentence here to emphasise the ‘things of silver’ Nesamun mentioned in his answer to the previous question. This suggests that they do not believe that Nesamun is telling the truth about his involvement in the robberies. Therefore, in order to make Nesamun elaborate on what he and his companions stole the Tribunal has to construct a question that emphasises the point that they wish to make. This will lead further into their presuppositions that Nesamun has in fact been in a Royal tomb, despite his claims, and the emphasis on the ‘things of silver’ demonstrates this determination to find out exactly what Nesamun has been involved with.

The Tribunal then move on to dealing with the dispute between the themselves and Nesamun over how many tombs he was in and the origins of the silver. This is related to the change in terminology Nesamun made when discussing the silver he stole.

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<sup>215</sup> Section 6.3.3.

Since Nesamun made the distinction between silver vases, *rwrw* gold fittings, and a silver mummy case, the Tribunal, in particular Scribe of the Necropolis Thutmose, have picked up on the fact that a mummy case may well have come from a Royal tomb since it is such an expensive item. They do so by using two pseudo-cleft constructions:

*Ex.4: P.BM EA 10052 5, 14-15*

*w<sup>c</sup> st t3 in=f n3 tbw n hd [n3] ipt im kt t3 in=f t3 swht im r mh st 2.t*

*‘One tomb is where he took the vases of silver and fittings from, another is where he took this mummy case from – a second tomb.’*

The sentence is broken up by separating the emphasised focal expression (*w<sup>c</sup> st*) and the defined relative form (*t3 in=f*) to emphasise that while they presuppose, and Nesamun accepts (i.e. the ‘accepted element’), that vases, fittings, and a mummy case were stolen by him. However, the Tribunal believes that they were acquired in two separate incidents and from two separate tombs as it is clear that Nesamun was lying when he claimed that the tomb he was in was non-royal and because he stole a mummy case. They do this using a second pseudo-cleft with *kt* ‘another’ as the focal expression and *t3 in=f* ‘that which he took’ emphasising that they believe that it was ‘another’ tomb from which the silver mummy case was taken from, a royal tomb, and thus implicitly stating that Nesamun is lying. It is this double use of the pseudo-cleft construction that allows the Tribunal to pull apart Nesamun’s entire defence and provide adequate evidence to counter his claims of innocence. This allows them to regain active control of the discourse with Nesamun, something that Nesamun had control over due to his subverting their presuppositions, and now negated due to the discovery of his lies.

Following on from the Tribunal’s direct challenge of the ‘facts’ Nesamun provided them with, Nesamun’s response seems to move away from his vague responses into explicit denial. However, despite this more explicit denial, Nesamun does not back down from his argument, even though he has now admitted to having stolen a mummy case, which may well have come from a Royal tomb (Peet, 1930: 140). It is then that this pseudo cleft construction is used:

*Ex.5: P.BM EA 10052 5, 15-16*

*p3y hd p3 in=n r-bl bpy=i ptr nty nb gr*

*‘This silver is what we brought away. I saw nothing else.’*



In doing so, Nesamun places emphasis on the silver *p3y ḥd* (the focal expression), which he admits to stealing. Nesamun is emphasising the actions of himself and his companions by using the pseudo-cleft to claim that what he has said previously, that it was one non-royal tomb, was correct. He is once again using contrastive supplementation/defeasibility to reject the Tribunal's initial presuppositions and their new accusations, by stressing that it was one tomb that he and his companions took the silver from.

Nesamun's response explicitly closes an avenue of questioning for the Tribunal, as it seems they will get no more from him, thus they move into trying to ascertain how Nesamun and his companions went about dividing up the silver and where this silver is now. Nesamun responds with the use of a pseudo-cleft construction in order to emphasise his actions in relation to what the Tribunal has asked of him:

*Ex.6: P.BM EA 10052 5, 20*

*iw f3 šri n inr p3 di =n n=w im=f iw bn p3 inr ʿ3 i-pš =n m-im=f iwn3*

*'But a small weight of stone was the one we gave to them from, it not being the large stone which we had divided with.'*

The use of this construction is not so much about arguing with the Tribunal about what happened when the silver was divided, but rather Nesamun adding more information to something that he has previously stated. Here, Nesamun uses the pseudo-cleft so that *f3 šri n inr* 'stone weight'<sup>216</sup> is the focal expression as it is being emphasised over the defined relative clause *p3 di=n* 'which we had allotted.' This is because Nesamun wishes to state exactly what was given out and eliminate the possibility of anything else being attributed to him. It is then that Nesamun uses the pseudo-cleft construction to emphasise that Tetisheru and Pakaempauba received a smaller share of the silver than the men who robbed the tombs, but no more. By doing this, he separates

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<sup>216</sup> This 'stone weight' is referenced in two other testimonies from members of this particular group of thieves, of which Nesamun is a part. As mentioned in Chapter Five both Shedsukhons (P.BM EA 10052 3.8 & 12) and Townswoman Nesmut (P.BM EA 10052 6.13) also mention this 'stone weight', Shedsukhons in relation to having divided the silver up and it being in the house of Perpatjaw, and Nesmut, who is the wife of Perpatjaw, states that the 'weight' was in the basement of her house. The Tribunal would know, at this point, that the information that Nesamun is providing here was correct and is therefore worth paying attention to, as clearly two others received a share of silver that was weighed using a smaller weight than the one used for those directly involved in the robbery.

out the two men from the rest of the group by not implicating them in the robberies but only in the receiving of stolen goods. This not only deflects some of the attention of the Tribunal away from Nesamun, it also puts him in a more favourable light with the Tribunal as he has cooperated by providing them with more information and new names of people they can question in relation to the robberies. Since Nesamun knows that the Tribunal are keen to discover where the silver from the tombs has gone and how they can recover it, it benefits them to have him use the pseudo-cleft construction to emphasise exactly what happened.

Unlike the pseudo-cleft sentences used by the Tribunal, which seek to subvert Nesamun's statements and again imply that Nesamun was in two tombs and not just one, Nesamun uses the second tense to explicitly emphasise his stance.

*Ex.7: P.BM EA 10052 5, 22*

*i-ir n3 tbw r p3 ḥd ʿ3 i-dd(=i) n=tn ʿn*

*'The vases belong to the great treasure, which I have told you about already.'*

Here the construction is being used to emphasise that *i-iri n3 tbw* 'the vases' came from the same group of silver as the rest of the items he has admitted to stealing. The Tribunal, in this case, are still working on their determining that the silver came from two tombs. Both parties accept that Nesamun robbed the tombs, while the Tribunal still presuppose that they will find that Nesamun has been in two tombs. The second tense, therefore, is used by Nesamun to reject their assumptions and contrast them in order to emphasise that he was in only one tomb and that is where the treasure comes from and from two as the Tribunal have accused him of being in. Nesamun seems to wish to emphasise this at this particular point, as it appears with this statement he is trying to make a last-ditch attempt to convince the court that he only robbed one tomb. It therefore could be supposed that the second tense in this example is being used in an argumentative manner. Nesamun's position here is not as directly confrontational as it was when he uses the pseudo-cleft in the previous example. Instead, it is being used in a more assertive manner so that the Tribunal are fully aware that Nesamun believes that the vases belong to the same set of silver that he admits to stealing. If this interpretation is correct, then we indeed have another example of a low status accused not behaving towards their higher status superior as one would expect in this situation, i.e. with politeness and respect. It is not clear why some accused

behave in this manner, but perhaps shows an undercurrent of distrust between the Egyptians and their elite.

The final focus construction example immediately follows on from the example used above. It is Nesamun's final attempt to get the Tribunal to see his point of view; that he believes that he was only in a single tomb:

*Ex.8: P.BM EA 10052 5, 23*

*w<sup>c</sup> st w<sup>c</sup>ty t3 wn=n*

*'One single tomb was what we opened.'*

The pseudo-cleft construction in this instance is being used by Nesamun to stress to the Tribunal that the one tomb which he has mentioned previously 'is the only' one which he himself has opened and the only one that he will admit to being in. The emphasis is placed on the focal construction (*w<sup>c</sup> st w<sup>c</sup>ty*). In more simple terms, Nesamun is placing great emphasis on the fact that he only robbed one tomb and no more. This, in conjunction with the other examples of the pseudo cleft and second tenses in this testimony, is another example of a blatant argumentative tone that the testimony of Nesamun called Tjaybay contains. This example in particular is argumentative because Nesamun is adamant that he was only in one tomb and believes that the Tribunal should accept what he says. It is clear from the remainder of the testimony that the Tribunal are still not convinced by Nesamun's argumentative and defiant stance against the evidence that the Tribunal has presented against him and despite all his protestations to the contrary, he is still found guilty.

## **6.4. Superior/Subordinate Interplay**

This entire testimony is a master class in subordinate/superior interplay as, unlike most other testimonies, the active control of discourse shifts repeatedly between the Tribunal and Nesamun as they both try to make their arguments or, in Nesamun's case, denials the main point of the testimony. Superior/Subordinate interplay is an important part of these testimonies. As seen in Chapters Three and Four (3.2.2. and 4.2.1.), the accused and the Tribunal use their positions as Subordinates and Superiors in dialogue to try to take control of the discourse in order to either seek the truth or to defend their position (Thomas, 1995: 124-125; Brown & Levinson 1978: 84-85). This is

very much the position of the accused in the TRP when addressing the charges laid against them and the testimony of Nesamun called Tjaybay is illustrative of that.

At the start of the testimony, the active control is strictly in the favour of the Superior of the situation, the Tribunal, as is the norm for a trial context (Culpeper, 2008: 36). It is the priority of Nesamun, as the accused/Subordinate, to attempt to control his fate during the discourse.<sup>217</sup> We see him do this by using different terminology to that of the Tribunal to describe the tomb from which he stole. The control is shifted in favour of Nesamun, as the Tribunal presupposed that Nesamun would admit to having robbed a Royal tomb and are therefore at a disadvantage while Nesamun seemingly takes active control. Nesamun continues in this vein when he mentions the silver in the same utterance, as he is deliberately vague about the silver that he stole from the tombs, thus blocking the Tribunal's line of questioning.

However, with the Tribunal's next question they seek to regain active control of the discourse. By recognising that Nesamun has been deliberately vague in his answer about how much silver he has stolen, it allows the Tribunal to question him further to try and seek more information from him. As Nesamun seemingly has control at this point in the testimony he does not use inference, as is typical with those in the subordinate position (Thomas, 1995: 124-125), but rather is explicit in telling the Tribunal exactly what he stole. The Tribunal, still without active control, use the information Nesamun provides, the stolen mummy case as well as the silver vases and gold *rwrw* fittings, to gain active control of the discourse and point out that Nesamun must have been in two tombs, one being Royal. Due to Nesamun's slip he seemingly loses active control of the discourse and his fate, and has to again use inference to attempt to protest his innocence. This is why we find so many uses of the Second Tense and Pseudo Cleft focus constructions after this point in the discourse whereby Nesamun attempts to correct the mistake he has made in informing the Tribunal that he stole a mummy case. From this point on he is at a disadvantage again, continually having to use inference to defend his position; a position from which he does not recover once the mistake is made.

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<sup>217</sup> As mentioned previously, the contextual positions of Subordinate and Superior do not change; they are static i.e. The Tribunal are *always* in charge and superior to the accused. What is being referred to here is the subordinate/superior position that can change temporarily based on the utterances between two people in discourse i.e. One person can make a speech act that will temporarily allow them to take active control within the discourse.

## 6.5. Use of Denial Phrases

The testimony of Nesamun called Tjaybay does not use many denial phrases, unlike other testimonies, as he relies on the use of focus constructions to deny his involvement in the robberies. However, some denial phrases are still used and in this section we will look at why each of them appear at certain points during the discourse.

### 6.5.1. *bpy=i ptr*

Much like many other testimonies in P.BM EA 10052, Nesamun called Tjaybay uses the denial phrase *bpy=i ptr*, and its variants, in order to emphasise the denial of his involvement further.

#### **Examples:**

This first example comes just after the initial statement from Nesamun about what he stole from the tombs and how many men were with him. As stated previously, the initial statement Nesamun gives to the Tribunal is deliberately vague in terms of what his involvement was in the tombs, and seems to imply that he stole from a non-royal tomb. Due to this, the Tribunal take him for further beating so as to extract more information from him about his involvement. This is when the denial phrase is uttered:

*Ex.9: P.BM EA 10052 5, 8-9*

*dd=f bpy=i ptr nty nb gr p3 ptr=i p3 dd=i*

*He said, "I saw nothing at all. What I have seen is what I said."*

When used in the middle of a testimony like this, the denial phrase *bpy=i ptr* is not being used for any particular gain other than to end the beating that is being given to them. By using the denial phrase here, Nesamun is likely trying to get the Tribunal to see that he has given them all the information that he knows already, through inference. However, the Tribunal would know that this was not entirely true, due to evidence from earlier testimonies, and therefore do not stop the interrogation.

This next example comes after the Tribunal have explicitly accused Nesamun of being in two tombs rather than just one as Nesamun had claimed previously. Nesamun is beaten again in order to try to gain more information from him about this new accusation. However, Nesamun appears to use the denial phrase here to attempt to cut off further questioning as he uses it after having said what he knows about the silver:

*Ex.10: P.BM EA 10052 5, 15-16*

*dd=f p3y ḥd p3 in=n r-bl bpy=i ptr nty nb gr*

*He said, "This silver is what we brought away. I saw nothing else."*

This not only rejects the Tribunal's new allegation about the silver that Nesamun is accused of stealing, but also limits it to just that silver and nothing else. Nesamun's use of it here should stop any further questioning as he has stated exactly what he stole from the tomb and will not admit to any more, even if the Tribunal accuse him of being in more than one tomb. He uses the denial phrase almost as an act of defiance against the accusations put before him and this is very typical of the whole tone of Nesamun's testimony.

## **6.6. FTAs and Impolite Speech Acts**

As discussed in Chapter Three, FTAs and impolite speech acts are the social norm within the discourse. Each participant in discourse is out to affect the face of the other for their own particular gain, and in this section the ways in which Nesamun and the Tribunal use impolite speech acts and FTAs in order to shift the power balance in their favour.

### **6.6.1. Tribunal's Impolite Speech Acts**

As shown previously, the Tribunal use impolite speech acts in their questioning of the accused in order to gain the information that they require. This is usually to do with building up the core narrative of the events surrounding the robberies and the desires of the Tribunal to find the accused guilty of tomb robbery. Archer (2005: 83) notes that testimonies of the defendants in EmodE courtrooms have an element of storytelling that moves back and forth the defendant informing them of what happened and the speech of people reported within the testimony. The Tribunal's questions therefore have to disseminate the information they are provided with in each testimony and ask questions in the following testimony that build on the knowledge garnered from previous questions. The Tribunal in this particular testimony utilise the framed and wh-interrogative to pinpoint precisely what they need Nesamun to talk about when he answers them. To assess how the Tribunal uses their impolite speech acts and FTAs they will be treated like every other example thus far in this testimony by going through

them in chronological order to demonstrate what impact each speech act/FTA has on the overall discourse.

The Tribunal's opening question (5.7) is classed as demanding speech act and is one of the standard opening questions the Tribunal use to prompt the accused into providing them with the information that they require for the core narrative. This question, however, can also be classed as a prompting question as the Tribunal are prompting Nesamun to talk about specific events that he was involved in. However, this type of question, though it may seem innocuous, enacts a FTA on the social face of the accused by presuming that they are involved in the robberies and therefore has information to provide them with. In this case, the Tribunal are acting upon information provided by other accused in order to question Nesamun, so their presupposition that he was involved in the robberies is not entirely unfounded. Nevertheless, this presupposition is seen as impolite as it presumes Nesamun's involvement and therefore affects his face negatively. Nesamun's only choice at this juncture is to either be a hostile or non-hostile accused, depending on whether he wants to cooperate with them or not. We can see from the context that, for all intents and purposes, Nesamun chooses to become a non-hostile accused and provide them with the information that they seek. However, we know from further context that Nesamun has not complied fully with the Tribunal's prompting question and has withheld vital information for his own benefit by being deliberately vague about the silver he stole. It is this that negatively affects the authoritative face of the Tribunal.

As identified in Chapter Three, the Tribunal's next question (5.9-10) is known as a 'follow up' question and is widely used in both in EmodE courtrooms and Modern ones to further question something that the accused has said. It demonstrates a narrower Wh-interrogative (*'What were the things you brought away?'*) rather than the direct address imperative used initially by the Tribunal, as instead of trying to elicit a broad type of answer they are attempting to narrow down the response Nesamun can give by asking him specifically about the things that he brought away. Since the presupposition that Nesamun was involved in the robberies has already been implied in the first question that the Tribunal asked, it is not that instance that the Tribunal is attempting to negatively affect the face of Nesamun. Instead, they are using information he provided them with, albeit vaguely, they presuppose that he has not told them the whole truth. This negatively affects Nesamun's face, as it implies that he is not being cooperative and has been withholding evidence from them that will help build up the core narrative of

the robberies and help them convict people of robbery. As discussed above,<sup>218</sup> the Tribunal have picked up on Nesamun's subtle use of vocabulary change in the way in which he refers to both the tombs and silver, implying that he robbed non-royal tombs, and is not willing to let this go without investigating it. They use the follow up question to imply that he has not told them everything that he knows about the robberies, therefore affecting his negative face and forcing him to elaborate on what he took from the tombs. This narrow wh- interrogative succeeds in its aim of gaining the information that the Tribunal seek as we can see from the context and previous discussions that Nesamun admits to stealing silver vases and *rwrw*'s of gold. Of course, this provides the Tribunal with the 'what was stolen' part of the enquiry but not the 'where from and with whom.'

When the Tribunal next speak (5.11), they are attempting to switch the subject away from the items that Nesamun has admitted to stealing, as Nesamun is not cooperating, and move to an entirely different subject i.e. the people he was in the tombs with. This speech act is not like those that have gone before it; instead of using a wh-interrogative, they make use of a demanding imperative. The use of the imperative *i-dd n=i* 'Tell to me' is more threatening and impolite than the presupposition found in the wh-interrogative, and therefore enacts a harsher FTA upon the face of Nesamun as they are now demanding that he provide them with the information that they seek. However, this particular information has been gathered from other testimonies provided by other accused so they know precisely what Nesamun is about to tell them. The only reason they need to hear the names again is for the construction of core narrative. If more men claim that others were with them and these names match, then it is more likely that they are telling the truth and therefore the Tribunal can pursue different lines of interrogation. The demanding speech act, therefore, is supposed to force Nesamun into revealing whom he robbed the tombs with by negatively affecting his face and putting him into a defensive manner of interaction. By forcing Nesamun into a defensive stance, it is more likely that he will provide them with the truth rather than misinformation, as he is trying to save social face by being acquitted of the crime of tomb robbery. This goes against the desires of the Tribunal who only desire information, thus creating a conflict of interest that we see unfold throughout this testimony. After telling them the men who were with him in the tombs, and after

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<sup>218</sup> In sections 6.3.1 & 6.3.2



another beating by the Tribunal, Nesamun confesses to more items that he stole from the tombs. It seems that because the Tribunal has forced him into a defensive he is willing to divulge more information about his activities in the tombs than he was before.

The Tribunal's response (5.14-15) to this admission by Nesamun is one of the most threatening FTAs that exist in the Tomb Robbery corpus as they directly and explicitly attack the information that Nesamun has provided for them. Nesamun has made the mistake of admitting to the Tribunal that he stole a mummy case of silver from a tomb. The Tribunal seize on this information and use it, and knowledge gathered from other members of Nesamun's robbery group, to infer that he was in two tombs, one of them being a royal tomb. This is a direct FTA on the face of Nesamun, as not only does it show that he has been robbing royal tombs, but also has lied to the Tribunal about it quite blatantly. At this point, the Tribunal have no qualms in calling out Nesamun for his lying quite publically and explicitly. Their desire is to find Nesamun guilty of tomb robbery as it has been proven that he has lied to the Tribunal about the extent of his involvement in the robberies. This impolite speech act on behalf of the Tribunal negatively affects the face of Nesamun and therefore he must find a way to fight back against the Tribunal and prove that he was in only one tomb, a non-royal tomb, as he originally stated. He therefore chooses to become hostile and follow the route of respond, counter the evidence, offensive tactics against initiator of FTA,<sup>219</sup> so as to save his social face and gain his desire to only be found guilty of stealing from a non-royal tomb.

His defence (5.15-16) is a direct FTA upon the face of the Tribunal as it directly and explicitly attacks the very evidence they are using to condemn him. This particular example is not as explicit as later ones but shows the use of denial phrases as a defence mechanism. It uses the denial phrase *bpy=i ptr nty nb gr 'I saw nothing else'* to place some finality on what he is telling them, thus implying that he will not be telling them anything further about the silver. This phrase comes immediately after another beating and the phrase *i-w3h dd=i*, and is probably Nesamun attempting to persuade the Tribunal that he has nothing more to say.

Following on from Nesamun's rebuttal, the Tribunal have changed tactics and are now seeking information about the men who received the silver after it was stolen

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<sup>219</sup> As shown in Section 3.9, Figure 1 of Chapter Three.

(5.18). It shows that the Tribunal has recognised that Nesamun has become hostile when it comes to discussing where the silver has come from, and have therefore altered their questioning in order to get more information out of him. This falls under the category of ‘demanding speech acts’ as the use of the imperative *i-dd n=i* demands that Nesamun provide the Tribunal with the information. It also impacts on Nesamun’s social face, as the Tribunal have now had to start demanding information from him rather than simply using a wh-interrogative, as he is not cooperating. To anyone on the outside of this situation, Nesamun would look like an uncooperative liar who stole from the Royal tombs, and this is something that Nesamun desires to avoid if he is to be found innocent of thefts concerning the Royal tombs. Being faced with an FTA such as this forces Nesamun into a position where he can either continue to defend himself against the impolite speech act, and attempt to enact an FTA of his own on the Tribunal, or he can accept the FTA and provide them with the information that they seek, thus saving his social face. From the context, we can see that Nesamun chooses to provide them with the information they are looking for by naming the men who were with him and explaining who received what portion of silver. Since the location of the silver has been established, the Tribunal seem to feel able to switch back to their original line of questioning concerning the silver. They possibly felt that because Nesamun had been receptive to their last question that he would respond to another question about where the silver came from without too much resistance. Once again, they choose to go with a direct and explicit FTA on the negative face of Nesamun to address the fact that they know he lied to them initially and to try to get him to admit from whereabouts the silver was actually stolen.

The next speech act from the Tribunal (5.21-22) is not even formed as a question but is an explicit attack upon the negative face of Nesamun. Here they are directly accusing him, once more, of having been in more than one tomb, and therefore one of these tombs must have been a Royal one. It is this final impolite speech act that forces Nesamun to enact a full-blown FTA against their negative face. As mentioned in Chapter Three,<sup>220</sup> an accused will use an FTA against the Tribunal either to defend themselves or to escalate the initial argument between the two parties. If their Superiors in this situation are attacking them where they have limited to no power over their fate, then it is very likely that the accused would use the same type of aggressive actions and

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<sup>220</sup> Section 3.2.3

linguistic devices to attempt to overcome the initial threat to their social face. This is precisely what is happening to Nesamun at the end of his recorded testimony. His Superiors, the Tribunal, have attacked his face aggressively on several occasions. Since the Tribunal have not accepted the story he has been telling them over the course of this testimony, it therefore falls upon Nesamun to defend himself more aggressively than he has done previously (5.22-23).

It is here we see Nesamun utilising a denial phrase combined with a second tense as a rebuttal to the Tribunal's accusations. It is these two methods of denial that when combined form a powerful FTA upon the authoritative face of the Tribunal. The initial denial phrase seeks to reject the Tribunal's last statement explicitly by rejecting it as absolute falsehood. This would directly impact the Tribunal before Nesamun had even finished speaking as they possibly assumed that since they had forced him to admit everything else about the robberies he was involved in, then he would admit the same here. Evidently, their assumption was wrong as Nesamun continues with his denial/FTA by using a second tense to make his position plain to the Tribunal. By using this emphasis, he once again rejects the Tribunal's assumptions and affects their authoritative face by explicitly stating that their information and assumptions about his activities is incorrect. Just as Nesamun has done previously, it is now the Tribunal's turn to defend their face against the attack being made against it. However, we do not know how the Tribunal chose to retaliate against this explicit rejection of their authority as the testimony finishes by stating that Nesamun had no more to say in regards to the robberies. This could mean that there was no more said after Nesamun's final outburst, but it could also be an example of scribal editing. If Nesamun and the Tribunal had continued to argue about where the silver came from but Nesamun did not confess, then it is likely that a scribe may have edited it down to just the first instance of it, as the rest of it would be superfluous to the record.

# Chapter Seven: Comparative Analysis of Discourse Interaction Between Texts Within the Corpus

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## 7.1. Introduction

When looking at a corpus of texts which were not written at the same time such as these it is important to assess the similarities and differences between them. This chapter will deal with six texts from the TRP corpus; P.Mayer A, P.BM EA 10052, P.BM EA 10054, P.BM EA 10403, P.Leopold II Amherst, and P.BM EA 10383. Each of these texts was written in and around the same time as the others, but the styles and lengths in which they are written varies drastically from text to text.

From previous discussions in Chapters Three, Four, and Five, we know that the ways in which the discourse between the Tribunal and the Accused are numerous and complex. It is the aim of this chapter to assess how the textual recording of this discourse affects how we are shown the two parties interacting across the corpus, and how each text presents each party.

## 7.2. Comparative Analysis

### 7.2.1. The Accused's Answers

#### Acceptance Answers

All six papyri being assessed contain what have been termed previously in this thesis as 'long acceptance' answers.<sup>221</sup> These 'acceptance' answers form part of the core narrative of the events, which allows the Tribunal to piece together the events of the robberies themselves. Something that occurs across all six texts is that these 'acceptance' answers come at the beginning of the texts, or beginnings of the examinations of each robbery group, and are usually of the 'leader'<sup>222</sup> of the group followed by his companions. In P.BM EA 10052, the examinations start with the testimony of Herdsman Bukhaaf, who proceeds to provide them with a narrative account of what was stolen and by whom, after being asked the simple Wh-interrogative:

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<sup>221</sup> Hereafter referred to as just 'acceptance' answers.

<sup>222</sup> Or whomever they believe to be the leader.

*Ex.1: P.BM EA 10052 1, 6-8*

*wn=k m n3 šm i-wn=k im sht tw ntr in=f tw di=f ti im-di pr ʕ3 i-dd n=i rmt nb  
i-wn i-r-m=k m n3 swt ʕ3yt<sup>223</sup>*

*'When you were going about the business in which you were engaged, the God caught you and brought you and he placed you in the possession of Pharaoh. Say to me all who were with you in the Great Places.'*

He does not contest his involvement in the robberies and merely provides them with the answers to their questions. The same type of answer occurs in P.Mayer A, whereby Foreigner Paykamen responds to a similar Wh-interrogative. We also see this type of interaction between Tribunal and accused in P.BM EA 10054 where Amunpanefer<sup>224</sup> and Panakhtenipet give long narrative accounts of their actions, and those of their companion's actions, that benefit the Tribunal as they provide them with the information that they need. P.BM EA 100403 and P.BM EA 10383 also have these 'acceptance' answers at the beginning, and throughout, the texts.

These types of responses contain similar information across the six texts being assessed in this chapter. Typically, the information presented to the Tribunal by the accused in these 'acceptance' answers is that of who was involved, how they went about breaking into the tombs/organising the robbery group, and what was taken from the tombs/temples. The presentation of this information does not differ throughout the six texts, as this type of answer requires the accused to tell a chronological narrative of the events that surrounded their involvement in the robberies themselves.

Where we find differences, however, is when we look at the length and detail of these 'acceptance' answers in these texts. In P.BM EA 10052, we find that the length of these 'acceptance' answers gets shorter as the examinations progress. They begin with the extensive answer of Herdsman Bukhaaf, which takes up the first two pages of the text, and gradually get shorter to the final 'acceptance' answer of Scribe of the Army Hori, son of Efnamun, whose response is a mere three lines long.<sup>225</sup> We find the same

<sup>223</sup> The translation of this passage is difficult, and does seem to form an incomplete sentence.

<sup>224</sup> Who also appears in P.Leopold II Amherst, where the testimony is an advanced copy of the testimony that appears in P.BM EA 10054.

<sup>225</sup> P.BM EA 10052 15.10-13

type of long ‘acceptance’ answers in P.BM EA 10383, P.Leopold II Amherst, and P.BM EA 10403, whereby the accused provide the Tribunal with long, almost narrative, accounts of their involvement or, where there is denial, other people’s involvement.

The account of Scribe of the Army Kashuti from P.BM EA 10383 does begin with a denial of involvement, but he does accept that people were involved in the robberies and provides an ‘acceptance’ answer to further this assertion. In P.BM EA 10054 (vs) we are provided with the lengthy acceptance answers of both Amunpanefer and Panakhtenipet, which offer detailed accounts of their actions in the tombs as well as what was taken. These two accounts are of a similar length to those found in P.BM EA 10052, with the exception of the testimony of Bukhaaf. However, in P.Mayer A the testimonies of those who provide ‘acceptance’ answers are far shorter than those that appear in the rest of the corpus. There does not seem to be a particular reason for this shortening of the testimonies. It could be because the accused simply had very little to say, or said it in a concise enough manner that the testimonies were not recorded at length. Another reason could be that the Scribe recording the entries in P.Mayer A simply chose to only record the most pertinent details, as it is difficult for a Scribe to make a note of all the information, but he would have made the effort to record the vital facts (Hiltunen, 1996: 21). As mentioned in Chapters One and Three,<sup>226</sup> any notation made by the scribe is likely to have some of his own interpretation of the primary data in with it (Culpeper & Kytö, 2000: 59), and therefore we must take this into account. What could be happening in P.Mayer A is a systematic editing by the Scribe to write down the account in the most concise manner. This being said, however, P.Mayer A and P.BM EA 10052 are close in date and content, and yet this shortening does not occur in P.BM EA 10052. It is therefore possible that the way in which the testimonies were written down was changed, though this solution is tenuous at best.

### **Denial Answers**

As demonstrated in Chapter Four, there are two different ways in which the accused can deny their involvement in the robberies, either through denial phrases, or by the use of specific emphatic focus constructions. One noticeable difference is that P.BM EA 10054, and P.Leopold II Amherst, do not contain any form of denial, unlike their companions. This may have something to do with the nature of the texts

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<sup>226</sup> Sections 1.4 & 3.3.2.

themselves. As mentioned in the introductory chapter,<sup>227</sup> the texts contained within P.BM EA 10054 are mixed, and the TRP texts that are written on it appear to be copies of earlier texts. Therefore, the scribe copying the testimonies may have only recorded those testimonies that contained information that was pertinent to the investigation, and has consequently left out those testimonies that contained denial. P.Leopold II Amherst is linked to P.BM EA 10054, insomuch that they both contain the testimony of Amunpanefer. As mentioned in the introductory chapter, P.Leopold II Amherst is dated 5 days after the date written on P.BM EA 10054,<sup>228</sup> and it is clear that Amunpanefer has been brought before the Tribunal on more than one occasion, and that the scribes recording of the testimony was done a few days after the examination. Therefore, if there was any denial given by Amunpanefer, it appears it was edited out by the scribe during the numerous copying up procedures undertaken before the final document was produced.

Unlike P.BM EA 10054 and P.Leopold II Amherst, the rest of the texts contain some form of denial, whether it be the use of a denial phrase, or the use of a focus construction when attempting to persuade the Tribunal of their innocence. Both P.BM EA 10052 and P.Mayer A contain many examples of both types of denial, and this is likely to do with the length of the texts themselves, as they contain a great many testimonies of people whom the Tribunal suspect of theft. Of course, with the vast array of people being questioned by the Tribunal, there is bound to be scope for different types of denial. The main type of denial in those two texts is the use of a denial phrase in response to the Tribunal's accusations, with the phrase *bpy=i ptr* (and its variants) being used most frequently. They also make good use of the focus constructions, such as the second tense or pseudo cleft, to deny their involvement, thus leaving their denial to emphasised actions and implicature. P.BM EA 10403 and P.BM EA 10383, on the other hand, have less of these focalising constructions used by the accused, with only one cleft sentence occurring in P.BM EA 10403 in the testimony of Field Labourer Peikharu son of Peshnemeh, and no use of denial through focus constructions at all in P.BM EA 10383. That being said, the focus construction of the cleft sentence is being used in precisely the same way in both the texts.

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<sup>227</sup> Section 1.3.2

<sup>228</sup> See P.BM EA 10054's section in the Introductory chapter.

At this point in his testimony, Peikharu has already denied having stolen copper or the portable chest with the rest of the thieves:

*Ex.2: P.BM EA 10403 3, 19-20*

*dd=f nhy n hnw n sš pn-t3-ḥwt-nḥt n3 ptr=i iw in=f st it3 r p3 pr n it-ntr imn-  
ḥw bpy=i ptr nty nbt gr*

*He said, "What I saw was some things belonging to the Scribe Pentabetnakht which he had brought and was taking to the house of the Divine Father Amenkhau. I did not see anything else."*

What he is using the cleft sentence for is to separate himself bodily from the robberies, while also providing the Tribunal with information that will help them prosecute the others they suspect of robberies. The overall meaning, therefore, of this particular cleft sentence is that he saw thieves with loot but he had nothing to do with them.

At this juncture, Fisherman Panakhtenipet has admitted to the Tribunal that he was the one who aided the thieves in their robberies, and is not denying this fact at all.

*Ex.3: P.BM EA 10052 14, 18*

*ih m 3tp t3 wn (hr) nḥbt=w dd=f wn n3y=w hnw (hr) nḥbt bpy=i ptr=w*

*"What sort of load was it on their shoulders?" He said, "They had things on the neck, but I did not see them."*

He is using the cleft sentence to place himself in the role as the man who ferried them across the Nile but only aided them to that extent, thus denying that he ever saw or ever knew what the men were doing on the West Bank.

As can be seen from the above examples, accused in both P.BM EA 10052 and P.BM EA 10403 utilise the cleft sentence to deny their involvement by placing themselves far away from the robberies themselves. In both cases, the accused are using the cleft sentence to imply that they had nothing to do with the things that were stolen from the tombs. Neither man admits to not knowing the men or having seen them. One should also note that the denial phrase *bpy=i ptr*, and its variant *bpy=i ptr nbt gr*, also occur at the end of each speech act made by the accused. This use of *bpy=i ptr* appears in P.BM EA 10052, P.BM EA 10403, P.BM EA 10383, and P.Mayer A,



whereby the accused states how they are involved/not involved in the robberies through a focalising construction or through a normal speech act, and finishes their statement with this particular denial phrase. It seems that a common theme throughout four of the six texts being assessed that the accused will be recorded as having finished their testimony with *I saw nothing* or variants to that effect. While it is common for the accused to state such a thing, even in a modern courtroom, the appearance of the same denial phrase repeatedly in the similar position seems slightly odd. To that end, it would seem that these four texts might suffer from some form of scribal editing, whereby whatever final act of denial the accused gave to the Tribunal has been edited down to a simple *I did not see* to indicate that the accused had nothing more to say.

### **7.2.2. Tribunal's Questions/Speech Acts**

Three of the six texts under assessment in this chapter contain questions or speech acts made by the Tribunal towards the accused. The two texts that do not contain any form of Tribunal interaction with the accused are P.BM EA 10383 and P.BM EA 10054 (vs). There does not appear to be any reason for this lack of notation of Tribunal questioning in both these texts. However, since P.BM EA 10383 is one of the later TRP manuscripts, they might not have recorded the Tribunal's question since the accused in question is using an 'acceptance' answer, therefore the writer must be implying the question that was asked initially. P.BM EA 10054 (vs), however, might not contain any kind of Tribunal questioning due to the nature of the text itself. As mentioned previously, this particular text appears to contain copies of testimonies that already exist, possibly because these were considered important, therefore the inclusion of the questions posed by the Tribunal maybe superfluous. Other than P.BM EA 10383 and P.BM EA 10054 (vs), the rest of the texts being assessed in this chapter do contain some form of utterance/question/speech act by the Tribunal.

### **Wh-interrogatives**

These are the most common type of questions that appear in P.BM EA 10052, with less instances appearing in P.Mayer A, and no examples of this type of questioning occurring in P.BM EA 10403. This leaves us with examining the sort of Wh-interrogative that occurs in both P.BM EA 10052 and P.Mayer A.

As discussed in Chapter Three, the Wh-interrogative is used by the Tribunal to politely ask the accused for information about the robberies and their involvement with the thieves. In both P.BM EA 10052 and P.Mayer A these questions tend to take the

form of ‘What is the story...?/What have you to say about...?’ which asks about information specific to that accused:

*Ex.4: P.BM EA 10052 7, 10-11*

*dd.tw n=f ih h(r)=k t3 mdt n n3 swt i-ph=k i-r-m n3 rmt i-di iw=f-n-imn wn  
m hry-pdt hn=w iw ihy-mh p3y=f sn r-h3t=w*

*He was asked, “What is it you have to say about the issue of the tombs that you reached with the men whom Efnamun, who was Troop Captain, sent, with Ihymeh, his brother, leading them?”*

*Ex.5: P.Mayer A 4, 16-17*

*ih hr=k r n3 hr n pr-<sup>5</sup> i-t3=k*

*‘What about the necropolis of Pharaoh which you stole (from)?’*

As can be seen from the two examples, the Tribunal in both P.BM EA 10052 and P.Mayer A the Wh-interrogative is being used to presuppose that the accused is involved in the robberies and is going to admit that fact to them. It is also being used to pinpoint the precise information that the Tribunal wish for the accused to confess to them. Both Ex.4 and Ex.5 demonstrate the Tribunal using information that they already know, or that they presuppose, about the accused to form a question that might elicit the information that they require. The Wh-interrogative can also be seen as an FTA on the face of the accused, as even though it is politely phrased, the implicit presupposition that is behind this initial question is enough to make the accused provide them with information that they seek, as the accused would wish to defend themselves against the accusations. It is used when examining any accused that is not directly involved in the robberies in P.BM EA 10052, and the same can be said, though to a lesser extent, of P.Mayer A. Therefore, it would seem that the goal of the Tribunal is to pose a question that appears polite on the surface, but forces the accused to reveal information in defence of themselves. However, a difference between the texts in the corpus is that P.BM EA 10403 does not contain any of the Wh-interrogatives for which the Tribunal in P.BM EA 10052 has a fondness. Instead, P.BM EA 10403 uses what have been termed in this thesis as ‘direct address imperatives’. These ‘direct addresses’ can be found in P.Mayer A, to a great extent, and P.BM EA 10052, to a lesser extent.

### **‘Direct Address’ Imperatives**

‘Direct address’ imperatives are the opposite of Wh-interrogatives found mainly in P.BM EA 10052, these ‘direct addresses’ do as their name would imply, and directly demand that the accused tell the Tribunal all that they know about the robberies or those who were involved in the robberies. As discussed in Chapter Three, this type of speech act is particularly impolite, as it attacks the ‘face’ of the accused, therefore forcing them into a position where they will reveal information about their involvement simply to save their ‘face’. These ‘direct addresses’ usually take the form of ‘Tell us the story...’, which can immediately be seen as a change from the Wh-interrogatives that make up the majority of questions in P.BM EA 10052.

Ex.6 is the formation of the ‘direct address’ imperative that occurs in P.Mayer A that uses the ‘Tell to me the story...’ opening. This type of opening utilises the imperative to coerce the accused into providing the Tribunal with the information about the tombs and robberies.

#### *Ex.6: P.Mayer A 8, 3-6*

*dd.ti n=f wn=k ḥṣ.tw m[-b3ḥ] n3 sr m t3 ḥ3t dd.ti n=k i-dd p3 shr šm i-ir=k  
bpy=k dd [...] iw bw rh=k r-dd h3y p3 nty ir d(r)t=k ir=f snw n3 smtr nty  
iw.tw i-ir=w n=k iw d(r)t=k mr p3 nty iw=k ir=f*

*‘He was asked, “When you were standing [before] the officials previously, you were asked  
“Tell the story of how you proceeded, you did not tell [...] you not knowing what your hand  
did would return. The examinations which will be done to you are painful, for what you will  
achieve is just a sore hand.”’*

We can see the same type of opening in Ex.7, whereby the Tribunal is using the imperative once again, in the form of ‘come’, in an attempt to coerce Townswoman Taaper into telling them the whereabouts of the silver she has admitted to seeing:

#### *Ex.7: P.BM EA 10403 3, 2-5*

*dd.ti n=s i-dd my p3 shr p3 ḥmt i-dd(=t) wn=f m-di iḥwty p3-ḥ3rw s3 pš-nmḥ  
iw=f ṣḥd gs m-im=f iw=s irt swt i-ḥnw(=t) r p3 pr 3tw imn-ḥṣw iw=t dd=f n=f*

*‘She was asked, “Come tell the story of this piece of copper which (you) said was in the  
possession of the Fieldworker Peikharu son of Peshnemeh and he cut off half of it and sold*

*<it> and about which <you> went to the house of the District Officer Amenkhou and you told him about it.’’*

While the wording is less threatening than the example from P.Mayer A, the imperative is still being used as a coercive device in order to get Taaper to tell them what they want to know.

This type of questioning also occurs in P.BM EA 10052:

*Ex.8: P.BM EA 10052 5, 18*

*i-dd n=i rmt nb dy n=w hd m p3y hd*

*‘Tell to me every man who was given silver out of the silver.’*

This example bears great resemblance to Ex.6 from P.Mayer A. Once again, the imperative has been used to attempt to coerce the accused to provide the information they require. It is not clear why the Tribunal favour these types of speech acts over the Wh-interrogative in P.Mayer A and P.BM EA 10403. However, this type of speech act is usually found when the accused is being hostile towards the Tribunal or, perhaps, has been deemed hostile before the examination began, and therefore the Tribunal have chosen to use a more threatening style of question in order to get the information that they want. It would therefore make sense that the Wh-interrogatives are mainly found at the beginning of the testimonies of those accused who provide the Tribunal with information relating to the robberies.

### **7.2.3. Beating of the Accused**

The beating of the accused is something that is standard across most of the TRP corpus. The one exception to this is P.BM EA 10383, which contains no beating of the accused whatsoever. This may have something to do with the fact that this particular papyrus only has one testimony recorded, and the text is broken in places. It is possible that there was a beating recorded in P.BM EA 10383 at some point, but this has now been lost to us.

The other four texts under assessment in this chapter do contain beatings of the accused. There does appear to be a general standardisation of the way in which beatings are carried out. The accused are usually beaten with either the birch, the stick, or the screw, or even a combination of the three (Boochs, 1989: 23). For example:

*Ex.9: P.BM EA 10052 3, 17*

*ir smtr=f m n3 d-n-n p3 m-n*

*'He was examined with the Birch and the Screw.'*

With P.Mayer A, P.BM EA 10054 and P.BM EA 10403, there is a slight deviation from this on occasion whereby a beating or twisting of the hands and feet is administered:

*Ex.10: P.BM EA 10054(v) 1, 4-5*

*sw smtr=f m knkn m b-d-n rwdy=f d(r)t=f*

*'He was examined by beating and the screw (on) his feet and hands.'*

*Ex.11: P.Mayer A 1, 17-18*

*ir smtr mniw it3 p3y-k3-mn n pr imn r ht imy-r ihw n imn m knkn m b-d-n dd.tw t3 i-k m rdwy=f m šs*

*'Examination. Herdsman, thief, Paykamen of the house of Amun, under the Overseer of the Cattle of Amun, was beaten with the stick, the beating stick, and the screw was put very tight on his feet.'*

Both these examples utilise the stick and the screw when examining the accused, but in a change from the other texts examined in this chapter, the screw is explicitly said to be being used on the hands and feet. In P.BM EA 10052, it does not state that the screw is being used on a specific body part, and it is left to the reader to infer that this instrument is being inflicted on the accused.

Another difference that can be seen in these texts is that P.BM EA 10052 contains some of the accused's 'reactions'<sup>229</sup> to the beatings, whereas the other texts do not contain any such thing. After a beating in P.BM EA 10052, some accused are caused to utter *i-w3h dd=i* 'Stop! I will tell!' and another beating is administered or the accused launches into either their confession or a denial of being involved. For example:

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<sup>229</sup> They are referred to as 'reactions' as the accused is noted as saying something during or after a beating has been administered. It is almost certain that these phrases have been edited by the scribe, as it is very unlikely that all the accused will have uttered the same phrase.

### Ex.12: P.BM EA 10052 12, 15-16

*ir smtr=f b-d-n dd=f i-w3h dd=i*

*He was examined (with) the stick. He said, "Stop! I will tell!"*

This particular phrase occurs 13 times throughout P.BM EA 10052 in various testimonies that are unconnected to one another. This may have something to do with scribal editing, as it is unlikely that someone being beaten would only exclaim, '*Stop! I will tell!*'<sup>230</sup> repeatedly when beaten, and therefore might be a quasi-legal formula written in by the scribe. However, due to the fact that there are only 13 occurrences of this phrase in P.BM EA 10052, we must infer that the accused did utter something at this point, and that the scribe has chosen to note it down as the accused being ready to talk about their supposed crimes. It is very likely that other accused said things while they were being beaten, yet these have not been recorded for whatever reason.

#### 7.2.4. Text Length

One thing that differs across all six texts is the relative length of the texts that contain these testimonies. This affects how much can be contained within one text, and therefore how much one text can show us the similarities and differences between all six texts.

P.BM EA 10052 is a long text consisting of 16 pages with roughly 24-30 surviving lines of text per page.<sup>231</sup> P.Mayer A is almost as long, consisting of 12 pages and roughly 20-25 lines of text per page. This may go some way to explaining why there are more denial and acceptance answers found in these texts, as the length of them allows for more testimonies to have been recorded, and therefore present many different examples of speech acts/questions/answers that can occur in these texts.

P.BM EA 10403, on the other hand, consists of three pages of text, with two pages being between 30-31 lines long (Pages 1 & 3), and one page of five lines (Page 2). This limited space only allows for the coverage of four different testimonies, thus not allowing it to have the same scope as say P.BM EA 10052 or P.Mayer A. If we look at the same amount of pages and lines from P.BM EA 10052 and compare them to P.BM

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<sup>230</sup> Since they are being beaten it is very likely that there would have been other phrases uttered during the beating, but the Scribe has chosen only to note down the instance when they acquiesce to the Tribunal's demands.

<sup>231</sup> With the exception of Page 2A that only has 13 lines of text and appears to be an addendum to Page 2.

EA 10403 then we can see that P.BM EA 10052 would look the same (i.e. made up of long answers to questions posed) as P.BM EA 10403. Therefore, if P.BM EA 10403 was originally longer than it currently is preserved, it might very well have contained more testimonies that are similar to P.BM EA 10052 and P.Mayer A. P.BM EA 10383 could also be the same as P.BM EA 10403, as it too is broken, consisting of three pages, two of which are damaged, and the longest page contains only 11 lines. It is the shortest text of the six being assessed in this chapter, but because its shortness is due to the fact that the text is broken, it could have also contained other testimonies that were similar to those found in P.BM EA 10052 and P.Mayer A.

P.Leopold II Amherst is made up of four pages, each with roughly 15-20 lines of text contained on each, and comprises only of the testimony of Amunpanefer. Page one is quite broken, but contains a large section dedicated to the formal introduction to the testimony. This is not present in any of the other texts assessed, but its inclusion, as mentioned earlier, is likely the result of the text being in a later stage of write up than the others are. Page four of this text is an addendum, which notes that the thieves have been handed over for punishment, though there are still those that have yet to be apprehended. This final page appears to be unfinished, likely because the scribe intended to finish the document once all thieves had been caught.

Finally, P.BM EA 10054 has a category all of its own in terms of length. As discussed previously in this chapter, the nature of this particular text is unusual as it contains many different texts on one document. The two testimonies we do have are only the testimonies of one person each time, therefore further limiting what can possibly occur in the text. This is the biggest difference in text length there is between the six texts, so while there are some similarities such as how the accused are beaten or how they respond to the questions/speech acts directed at them, there are more differences due to the limited amount of information that can be gleaned from two testimonies.

# Chapter Eight: Concluding Comments

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## 8.1. Introduction

This thesis set out to explore and obtain a deeper understanding of the discourse and interplay between the Tribunal and the accused, in terms of the strategies and aims of their utterances through pragmatic theory, grammatical analysis, and socio-familial interaction. This study has also sought to understand why the participants of discourse in the TRP behave in the way they do and to answer the following question: *How far can the strategies and wants of the Tribunal and Accused be assessed through pragmatic theory, and social status, and what effect do these strategies and wants have on the discourse?*

The following sections will assess some of the findings in relation to the work done in this thesis, to determine the implications that this study has for our understanding of the discourse within the TRP corpus, and for understanding the context of the New Kingdom legal proceedings in this case. This thesis' overarching theme has been to understand participants' strategic use of questions and answers. The culmination of this study has been to determine that if we are to fully understand the TRP corpus, then we are to look past the causes of robbery during this period, and take into account the actual discourse recorded within the texts, be it faithful or edited. Consequently, the detailed conclusions will begin with a discussion of norms of legal proceedings and scribal editing, followed by a summary of the Tribunal's use of questions, then the accused's answers. Finally, an assessment of how successful this approach to linguistic analysis has been, before outlining further research.

## 8.2. Analysis of Potential Scribal Editing

Throughout this thesis discussion and analysis have been made on the possibility of the "scribification" of the TRP. The TRP's unique structure in recording questions and answers given by both parties is vastly different to those of other legal documents we have surviving from the New Kingdom. Indeed, the JPT, which details a major investigation on the same scale, does not record any discussion between the overseers of the Trial and the accused, but is merely a record of who was brought forward, of what they were accused, and if they were found guilty. This is quite unlike the TRP, which detail the discussions of each individual accused in great detail and would lend more credence to them being a truer account of what was said. Evidence



shown in this thesis would support Wainwright's theory (1938) that the TRP, particularly P.BM EA 10052 and P.Mayer A, have been subject to minor modifications by the Scribe, due to the inclusion of oath formulae and the addition of the titles of each thief. Winnad's theory (2009, forthcoming) that the TRP went through more than one draft, is backed by Goelet's (1996) theory that P.Rochester and P.BM EA 10054 could be examples of a second stage of writing, and P.BM EA 10052's addendums on pages 1a and 2a, meaning that some form of scribal editing has taken place but to what extent cannot be proven. Certainly they have undergone some form of editing, due to the additions of titles of the accused, and legal formula, but we cannot say that the words spoken by the accused have been doctored in anyway by the scribe who recorded them. Indeed P.BM EA 10053(vs) and P.BM EA 10403 appear to have gone through more editing than P.Mayer A and P.BM EA 10052, due to their similarity in composition to P.Leopold II Amherst, which is known to have been heavily edited. However, since these texts are largely broken, and we do not know at which stage they are in composition, we cannot rule out that they were once larger texts that had more in common with P.Mayer A and P.BM EA 10052.

During the course of this thesis it has been shown that the types of answers given by the accused, particularly in P.BM EA 10052 and P.Mayer A, are long and descriptive at the beginning, but become shorter towards the end of the texts. This was determined to be because of the order in which the Tribunal sought to bring the accused; with those belonging to robbery groups first, and those who were only loosely connected with the robberies towards the end. In doing so core narrative could be established, before questioning those connected by circumstance or familial relations. The denial answers given varied widely, even with the repetition of key phrases, which illustrated the ways in which the accused utilises a certain phrase in order to convey their particular want, either on its own or as part of a larger speech act. The most repeated phrase was *bpy=i ptr 'I did not see'* and though it would seem that its common use is evidence of scribal interference, and perhaps this hypothesis is still correct, its variants and position within a testimony indicate that in at least a number of cases this was a phrase that the accused might have uttered to the Tribunal. It is noted that when modern defendants are confronted about their crimes they often reply with *'I did not see'* or a very similar variant. This could hold true for the accused in the TRP, since it is completely within reason that one would exclaim *'I didn't see anything!'* when confronted about a crime for which the penalty is death.

Other phrases such as *w3 r=i w3 r h<sup>c</sup>=i* and *imi in.tw rmt<sub>u</sub> mtw=f s<sup>c</sup>h<sup>c</sup>=i* show evidence of ‘scribification’ in some cases, whereby each phrase appeared to be the only thing that was said by the accused during their testimony. However, particularly with the phrase *imi in.tw rmt<sub>u</sub> mtw=f s<sup>c</sup>h<sup>c</sup>=i*, there are numerous variants whereby the accused can ask for ‘someone’, ‘a man’, or even list the people by name to be brought to accuse them. These variants would surely indicate a difference in what each accused was uttering to the Tribunal, as if they were to be ‘scribified’ one would expect the repeating of the phrase to be uniform, and therefore what we have must be in some cases the accused own words being recorded by the scribe. Consequently, we should be careful in dismissing repeated phrases as simply evidence of scribal interference.

The use of focus constructions in accused’s testimonies from P.BM EA 10052 and P.Mayer A also demonstrates that the TRP are perhaps not as heavily edited as was originally assumed. As established in this thesis, these focus constructions are used to emphasise particular elements of the accused’s speech that they wished to make explicit to the Tribunal, and indeed use them to argue their cases. If these documents are representative of ‘scribification,’ then why would the scribes record the inferences made by the accused? One could argue that a more heavily edited narrative transcript, as seen in P.Leopold II Amherst, would be expected here and not ones in which the accused is recorded utilising focus constructions to temporarily gain power over their accusers. This being so, the presence of these focus constructions must be indicative of a more verbatim account, albeit with minor scribal edits in these cases.

Ultimately we cannot prove either argument due to the scarcity of the data with which we work. The evidence brought forward by this thesis would suggest that a more verbatim document with minor edits is the more likely scenario for some of the texts, but it cannot be ruled out that these documents have been heavily edited, as seen in others, thus leaving more scope for future investigations.

### 8.3. Tribunal's Questions and Speech Acts

As has been previously stated, the overarching goal of this thesis was to assess the aims and strategic use of speech acts between all participants in the TRP. The Tribunal, as would be suspected, pose the overwhelming majority of the questions/speech acts in the discourse.<sup>232</sup> These questions serve a variety of micro and macro purposes, including seeking information about the robberies, clarification about what was stolen, and confirmation of those who were involved. It was found that by using impoliteness, through presupposition and FTAs, the Tribunal were able to elicit the information that they wanted from the accused in the majority of cases, provided they were dealing with a non-hostile witness. These questions also exhibited controlling and undermining elements, or an accusatory tone, and, though it is the norm for a Tribunal to display such behaviour, it was necessary to see to how these elements were being utilised by the Tribunal against the accused. It is also noted that the methods for eliciting information from the accused bear a great resemblance to Modern day courtrooms, as control is achieved through the use of questions during examinations (cf. Harris, 1984: 6). This suggests that questions are always a manifestation of power when uttered during legal proceedings, but as has been demonstrated previously, the accused are also able to use questions of their own to take control and provide information towards their own defence (see Chapter Three). This was contrary to expectations, as the Tribunal were perceived to have all the power over the accused, and the accused to have no way to achieve any sort of control of their situation. However, the accused were shown to use questions to actively refute accusation, thus seemingly giving them control, albeit temporarily.

The difference between the accused's questions and the Tribunal's questions is that the Tribunal have the legitimate and contextual right to be coercive, and to shape the accused's response through their questioning, but the accused cannot. In most cases, the accused's use of questioning is merely rhetorical, and only serves to inflict momentary damage to the Tribunal's 'face' with minimal effect in regards to their own aims. Subsequently, the Tribunal seem to score more of their own interactional goals through questioning, as the accused often respond with the information that they were attempting to elicit in the first place. Being the Superior participant in the discourse, allows the Tribunal to achieve their aims with relative ease, as they can to some extent

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<sup>232</sup> Though, of course, the accused have their own questions. (See following section 8.3. of this chapter)

control the responses through strategic questioning. We see this continually through the use of broad and narrow wh–interrogatives, whereby the Tribunal pinpoint the topic they wish the accused to address with their response. However, the control of the Tribunal can be seen to be lost when their own aims clash with those of the accused who are attempting to save ‘face’. We see evidence of this in the testimony of Nesamun called Tjaybay (Chapter Six) where the Tribunal continually clash with him, as his aim, to prove that he was in one tomb, clashes with theirs, to prove that he was in a royal tomb. While Nesamun’s role was assigned as the Subordinate participant in the discourse, and as per situational norm must provide a response for the Tribunal, this is at interaction level only. To save his own ‘face’ he resists the Tribunal’s strategic questions, and attempts to lead them down a path that fit with his own sense of the ‘truth’.

#### 8.4. The Accused’s Responses

Unsurprisingly, though nevertheless important to note, is that the accused’s responses consist mainly of denial and acceptance, with the overwhelming majority of answers being of the denial type. With the overarching aim of this thesis being to look at the strategies and aims of both participants in the discourse, it was important to separate the two categories the responses of those accused so that they might be analysed properly. As with the Tribunal’s questions, a deeper understanding of how and why the accused were using certain types of answers was needed.

The investigation into the types of denial responses used by the accused, elicited an array of different denial phrases that could be examined in relation to what the accused were trying to achieve when using them. These denial phrases were repeated frequently by different accused, at different points during their testimony, and ranged from a simple denying of having seen anything (*bpy=i ptr*) to challenging the Tribunal to bring someone who could accuse them (*imy in.tw rmt mtw=f s<sup>c</sup>h<sup>c</sup>=i* and variants). With *bpy=i ptr*, and its variants, it was shown that this particular phrase could occur anywhere in the accused’s testimony, but its main uses were at the beginning followed by an explanation of why they hadn’t seen anything, or at the end as a final ‘sign off’ sentence saying they saw nothing else. With *imy in.tw rmt mtw=f s<sup>c</sup>h<sup>c</sup>=i*, the phrase always occurs at the end of the testimony as a final challenge to the Tribunal to find someone that can be brought to prove the accused’s involvement. As mentioned in the previous section, the accused are in the subordinate position during discourse, and due

to the norms dictated by the context they cannot be directly impolite to the Tribunal. However, what they can do, and are shown to do, is to use their denials to reject the presuppositions of the Tribunal by providing information to the contrary, or in the case of *imy in.tw rmt mtw=f s'h=i*, directly challenged the Tribunal to prove their guilt, but does so within the bounds of their Subordinate position. It was noted that the overwhelming majority of denial phrases occur in P.BM EA 10052, and P.Mayer A, mainly due to their length and the types of accused questioned. These two texts also contain the use of focalising grammatical forms by the accused. Unlike the denial phrases, which simply served to provide a specific denial of involvement, the use of focus constructions such as the Second Tense allows the accused to utilise a different strategy for their denial; implicature. Of the examples studied (see Chapter Four), it has been shown that the accused use these focalising grammatical forms in order to contrast the presuppositions of the Tribunal, and supplement them with new information, which they believe will enable them to be found innocent. Implicature or indirectness was found to be used when the accused utilised focus constructions, as they are in the Subordinate position within the discourse and a Superior, in this case the Tribunal, are more likely to take their statement into account when it is said indirectly (Thomas, 1995: 124-125). This particular strategy seemed more effective as a form of denial than the denial phrases, as they provide information that deliberately conflicts with the presupposition and aims of the Tribunal. As mentioned in the previous section, control of the Tribunal can be usurped when their aims clash with those of the accused. With the use of denial phrases, we have learned that while they clash with the aims of the Tribunal, they do not affect the power balance, and the Tribunal will get little to no information out of the accused. However, with the accused's strategic use of focalising constructions, such as the Pseudo cleft, often directly clash with the Tribunal's aims, by providing a plausible explanation for why they were or were not involved in the robberies i.e as a deflecting/diversionary tactic. This form of denial has been shown to be more effective than a simple denial phrase, as it directly conflicts with the Tribunal's aims and temporarily allows the accused some control, thus being of benefit to an accused seeking to prove their innocence.

'Acceptance' answers were the third and final response assessed in this study. The aim with looking at this type of response was to see what effect the admittance of guilt had on the outcome of the accused's testimony, and how the interaction between the participants occurred. Unlike the denial responses, these 'acceptance' answers were

found to just provide the Tribunal with a full account of the accused's involvement in the robberies, thus benefitting the Tribunal more than the accused. This is not to say that the accused's do not have a strategy when they use 'acceptance' answers. Though their own fate had been decided, it was found that they could implicate others in their own deposition, thus allowing them to cause those they felt deserved to be brought to trial, or those the Tribunal had missed in questioning, to be interrogated. While this is not obviously as beneficial to the accused as a denial response would be, it does show us that even when their own fate is decided, they have a strategy that would enable them to implicate those they felt deserved the same fate.

### **8.5. Application of Historical Pragmatics and the Archer Method to Legal Discourse in the Tomb Robbery Papyri: How Successful?**

In the early stages of this study, it was quickly realised that in order to study the discourse between Tribunal and accused in the corpus accurately, there was a need to look at similar studies done in other 'courtroom' contexts. This is why the work of Archer (2005) on the EmodE courtroom was looked to and to a certain extent applied, as an example of the use of Historical pragmatics when analysing speech acts made by participants in discourse. There is always a danger when applying modern linguistic concepts to historical texts, as the data could become corrupted by forcing a theory onto data when it simply does not fit. However, since there have been similar linguistic studies done on the Historical courtroom (in particular Archer, 2005; Hiltunen, 1996), it was thought that applying some of the same theory as Archer does to the EmodE courtroom to the TRP corpus, as was outlined at the beginning of this thesis, would be beneficial to the study of the discourse interaction.

By following Archer's method of breaking down questions and speech acts posed by the Tribunal into different categories, such as the broad and narrow Wh-interrogatives or the demanding 'direct address' type, a clearer idea of the Tribunal's strategies became apparent. We can now potentially see what the Tribunal were attempting to achieve by asking the accused certain questions, which control the answer that they are to be provided with. This led to two main outcomes; information provided that added to the core narrative, and information that would lead to the depositions of thieves, both of which greatly benefit the Tribunal. Archer (2005: 85) notes that the Tribunal in the EmodE courtroom also has a 'guilty until proven innocent' mentality,

and this was found to be the same for the TRP. Presupposition was a key factor in their strategy, which allowed them to make assumptions on behalf of the accused about their involvement in the robberies that was apparent in their line of questioning. This, in turn, led into discussions on impoliteness, and the effect the Tribunal's questioning has on the 'face' of the accused. Archer explored Brown & Levinson's (1987 [1978]) theory on FTAs, when assessing what effect on a defendant's 'face' the Tribunal were trying to achieve. It has been demonstrated in this thesis (Chapter Three) that the Tribunal of the New Kingdom trials utilise impoliteness and FTAs to challenge the accused on certain aspects of their involvement in the robberies. By attacking the 'face' of the accused, the Tribunal were able to elicit the information they required. The application of this particular linguistic theory has yielded a deeper understanding of how the Tribunal go about eliciting information from the accused. While it is a 'contextual norm' for a Tribunal to be impolite towards the accused (Terkourafi, 2008: 70), this study has shown that it has a great deal of effect on the discourse between the participants, and has therefore been successful in showing us the tactics and strategies the Tribunal use to achieve their aims.

Archer (2005: 155) notes that the counter strategies of defendants in courtrooms are not always well documented when discussing linguistic analysis of legal discourse. This thesis aimed to address that by looking at the responses the accused gave, and how their strategies and aims might have affected the overall discourse. The study implemented Archer's use of gathering the response types, and putting them into tables to see which types of response were being used the most. This was successful, as it not only demonstrated that there were many different ways in which the accused can deny their involvement, but also that these testimonies are not as heavily edited by the scribe as was initially thought. However, Archer's method of looking at the percentages of interacting with each party i.e. witness, judge, and counsel etc., was not applied to the TRP corpus since the Tribunal are the only ones with whom the accused speak. While the intent and strategy of the accused was still assessed, the way in which it was examined was different from that of Archer, and followed a methodology that was more suitable to the data available.

Overall, it would seem that the general similarities between the strategies adopted in the TRP and the EmodE courtrooms strongly supports the idea that one might assume that the Ancient Egyptians reasoned in the same fundamental way as people in Early Modern Europe – in other words, the same logical underpinnings (in

terms of implicature etc.) can be found in both languages and cultures. Indeed, the extent to which the linguistic frameworks utilised by Archer, and by Modern English linguists, can be applied to the Ancient Egyptian record, demonstrates that interaction in certain situations, in this case the courtroom, is remarkable similar across the two societies and time periods.

## **8.6. Limitations of the Research**

Of course, with any thesis there are limitations to the research that is carried out. The most obvious limitation of this thesis is the amount of data that can be gathered for these texts, as the TRP corpus is a small data set. There are undoubtedly other texts that would have existed at one point or another, as there seems to have been a set of development stages that these documents went through (Winand, 2009 forthcoming: 4), which contained more testimonies than those we have been left with. With limited data, we can only go so far in saying that the implicature and impoliteness were used as frequently as they are in the Egyptian courtroom. However, we can say that presupposition of guilt by the Tribunal, on behalf of the accused, would likely turn up in other trial documents should they exist.

Another limitation is that of the extent of the scribal 'editing' that occurred within these texts. It has been demonstrated throughout this thesis that the testimonies of the accused, while showing many elements of actual recorded speech, have been edited somewhat as part of the official document recording process. This in turn limits the amount of data that we could gain from the documents, meaning that we cannot conclusively prove that this is what would happen every time an accused used implicature in the courtroom. By acknowledging that this editing has taken place, and understanding it in similar trial situations, such as the Salem Witch Trials discussed by Hiltunen (1996) and Culpeper & Kytö's (2000) discussion on transcription editing, it was determined that there was sufficient evidence to demonstrate that much of this text was recorded speech.

The lack of research previously undertaken on this genre within Egyptology provides sufficient limitation to this study. Collier (2009), Sweeney (2001), and Ridealgh (2011, 2013a and 2013b) have all written on this subject of pragmatics within Late Egyptian texts, which provides an excellent starting point for the research undertaken in this thesis, but most of the information has been gathered from non-Egyptological sources, specifically those of Grice (1975), Culpeper (2010 & 2011), Bousfield (2008),



and Brown & Levinson (1987 [1987]) who deal precisely with pragmatics and impoliteness in English linguistics. Due to this, this thesis has formed a general qualitative overview of implicature and impoliteness in the TRP, which will hopefully inspire further research into pragmatics and impoliteness in Late Egyptian.

## 8.7. Further Research

In this final section, the possibilities of further research stemming from this thesis and surrounding research will be discussed in order to determine what impact this thesis can have on future research. By looking at the limitations that have been identified, there are a few areas of further research that could be expanded on.

Firstly, the practice of scribal ‘editing’ is an area that could be expanded on greatly. While it is acknowledged that it occurs within these texts,<sup>233</sup> there is very little written on the subject within these texts. By identifying how and when these texts are standardised, and when they are recording the written speech, it would go some way to understanding how these types of administrative texts are written, and how the administration of the time set about recording the trials of the individuals accused. A benefit of doing this in the future would then allow for further examination of what is standardised speech, or formulaic, and what is being said by the accused themselves.

The link between the Tribunal’s impolite questioning and the accused’s denial responses could also be looked at further. This thesis has shown that there is a direct correlation between how impolite a question or speech act is, and the type of response it receives from the accused. It could be furthered by looking at this interaction across the entire corpus with all the different types of questions that occur, and chart the reactions given to them to see how impoliteness can affect this discourse as a whole. This could be furthered by looking into the types of responses the accused give to these questions across the corpus, as has been covered briefly in this thesis. By doing this, we might be able to understand the strategies that are being employed within the discourse by either participant, and therefore further understand what it is that is motivating them to use said strategies.

Impoliteness and implicature, as a whole, are areas that do require further research within Egyptology. It is hoped that in this thesis it has been shown in that

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<sup>233</sup> See Winand (2009 forthcoming).

recorded speech these linguistic strategies are used extensively, much as they are in modern discourses. Types of implicature and impoliteness in non-literary texts are also something that need to be studied, as we could learn a lot from understanding the dynamics that exist within the discourse. While a start has been made, in this thesis, to show how there are certain types of implicature and impoliteness within this corpus of texts, more needs to be done so we can understand how the Egyptians were using it as a whole.

Finally, it has been noted that there are several instances where an accused of a low social status appears to utilise certain types of linguistic constructions, such as focus constructions or rhetorical questions, in order to fight the presuppositions of the Tribunal. This isn't something we would expect from these accused, considering the relative high status of the Tribunal and the contextual norms of a trial situation whereby those on trial are deferential towards their superiors. While this thesis has pointed out several instances of this occurring in the TRP, more could be explored on why this might be occurring and how we might better understand the relationship between the Egyptian 'elite' and normal Egyptian citizens.

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